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# BILL

## An Act respecting the City of Windsor.

**W**HEREAS the Corporation of the City of Windsor Proclamation has by petition represented that by-law number 3008 was passed on the 18th day of December, 1922, amending by-laws numbers 1455, 1521, 1531, 1564, 2024, 2421, 2408, 2510 and 2516 under which certain exemptions from taxation were granted to the several corporations carrying on business in the City of Windsor mentioned in said by-laws; and whereas it was intended under the said original bonus by-laws that the several corporations affected thereby should be relieved from the payment of taxes upon the business carried on by them within the City of Windsor for the periods mentioned in said respective by-laws; and whereas under a recent decision of the Court upon assessment appeals in connection with said by-laws it was held that the said by-laws are not effective for the said purpose and said by-law number 3008 was passed to carry out the original intentions of the parties concerned;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** By-law number 3008 of the Corporation of the City By-law No. 3008 continued of Windsor passed by the council of the said corporation on the 18th day of November, 1922, and set out in schedule "A" hereto is hereby authorized and confirmed and declared to be legal, valid and binding upon the said Corporation of the City of Windsor and the ratepayers thereof and upon all parties affected thereby, notwithstanding any want of jurisdiction or power upon the part of the said corporation to pass the same, and notwithstanding any defect in the substance or form thereof or in the manner of passing the same, and the said Corporation of the City of Windsor is

hereby authorized and empowered to do all acts necessary for the full and proper carrying out of all the provisions of said by-law.

Commence-  
ment  
of Act.

2. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

#### SCHEDULE "A."

##### By-LAW No. 3008.

A By-law amending by-laws numbers 1455, 1521, 1531, 1564, 2024, 2421, 2408, 2510 and 2516 granting certain exemptions from taxation to corporations carrying on business in the City of Windsor.

Passed the 18th day of December, 1922.

Whereas Frederick Stearns & Company of Canada, Limited, under by-law number 1455; Leggatt & Platt Steel Bed Company, Limited, under by-law number 1521; L. H. Cheeseman under by-law number 1531; Kelsey Wheel Company, Limited, under by-law number 1564; Maxwell Motor Company of Canada, Limited, under by-law number 2024; Champion Spark Plug Company of Canada, Limited, under by-law number 2421; Auto Specialties Company, Limited, under by-law number 2408; Border Cities Hotel Company, Limited, under by-law number 2510 and Burroughs Adding Machine of Canada, Limited, under by-law number 2516 have been granted certain exemptions from taxation and partial exemption from taxation by way of fixed assessment except for local improvement taxes and school rates.

And whereas it was intended under the said by-law to exempt the said corporations from payment of business taxes and partial exemption from business taxes upon excess assessment of the lands occupied by them above the amount of fixed assessment in said by-laws numbers 1455, 1521, 1531, 1564, 2024, 2421, 2408, 2510 and 2516 respectively mentioned in favour of the Auto Specialties Company, Limited, Burroughs Adding Machine of Canada Limited and Border Cities Hotel Company Limited.

And whereas it is necessary that this by-law should be validated by a Private Act of the Ontario Legislature before becoming operative.

Therefore the Municipal Corporation of the City of Windsor by the Council thereof enacts as follows:—

1. That the business taxes for the present year and following years covered by the by-laws in question applicable to them of the Auto Specialties Company, Limited, Burroughs Adding Machine of Canada, Limited, and Border Cities Hotel Company, Limited, be assessed and collected only upon the fixed assessment of each of the said Corporations under each of the said by-laws applicable to them, and that no assessment for business taxes be made against the remaining corporations during the times mentioned and covered by the respective by-laws applicable to them.

2. That each of the said by-laws be and the same is hereby amended as is hereinbefore provided and that this by-law shall not extend beyond the several periods of exemption mentioned in each of the said respective by-laws.

3. That this by-law shall not affect the local improvement taxes nor school rates collected by the Corporation of the City of Windsor.

(Sgd.) H. W. WILSON,  
Mayor.

(Sgd.) M. A. DICKINSON,  
Clerk.

Certified to be correct,  
(Sgd.) M. A. DICKINSON,  
Clerk.



No. 1.

4th Session, 15th Legislature,  
13 George V, 1923

BILL

An Act respecting the  
City of Windsor.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Private Bill).*

MR. TOLMIE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to authorize the Law Society of Upper  
Canada to admit Harold Herson Willson  
to practise at the Bar of His  
Majesty's Courts in Ontario.

**W**HEREAS Harold Herson Willson, of the Town of Preamble.  
Leamington, in the County of Essex, has by his  
petition set forth that he did pass his Matriculation exam-  
ination in the Province of Ontario, in the Spring of 1917  
and was duly articulated to Earl Carman Awrey, a Solicitor  
of the Supreme Court of Ontario and a Barrister-at-law,  
on the 7th day of September, 1917; that his Articles were  
duly filed on the 13th day of September, 1917; that on the  
said 7th day of September, 1917, he signed a petition to the  
Law Society of Upper Canada for admission as a student-  
at-law, but through inadvertence such petition was not  
presented to the Law Society of Upper Canada until June,  
1919; that he made enquiries of the then Secretary of the  
Law Society as to what was necessary to be admitted as of  
the date of his said petition and he was advised that he must  
pay the prescribed fees and such fees were accordingly paid;  
that he attended the prescribed lectures at the Law School  
and has passed all the examinations prescribed by the Law  
Society of Upper Canada with Honours and has been awarded  
the Christopher Robinson Memorial Scholarship and Silver  
Medal of the said Society on his final examination; that  
he was not aware that he had been entered on the books of  
the Law Society of Upper Canada as of June 1st, 1919,  
instead of September 7th, 1917, until he applied to the  
Secretary for the prescribed forms to make application for  
admission to the Bar; that he caused a special petition to  
be filed praying the Law Society of Upper Canada to admit  
him to practise as a Solicitor of the Supreme Court of Ontario  
and as a Barrister-at-law; that the Law Society of Upper  
Canada were pleased to grant his prayer as to admitting  
him to practise as a Solicitor of the Supreme Court of Ontario,  
and he was duly sworn in and enrolled as a Solicitor of the  
Supreme Court of Ontario on the 14th day of September,

1922; that the Law Society of Upper Canada was unable to grant his prayer to be admitted to practise as a Barrister-at-law, as by *The Barristers Act* of Ontario it is necessary for a Student-at-law to be enrolled on the books of the Law Society of Upper Canada for a period of five years before he may be admitted to practise as a Barrister-at-law and the Law Society of Upper Canada had no power to exercise any discretion in granting his prayer in that behalf; that although the said Harold Herson Willson has not been enrolled on the books of the Law Society of Upper Canada for the requisite period of five years he has been continually studying and practising law with the said Earl Carman Awrey from the said 7th day of September, 1917, until the present time and has acquired a wide and varied knowledge of general law as well as the special knowledge acquired at the Law School, including the conduct of litigation; and whereas the said Harold Herson Willson has prayed that an Act may be passed to enable the Law Society of Upper Canada to admit him to practise at the Bar of his Majesty's Courts in Ontario; and whereas the circumstances appear to be exceptional; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Admission  
to Practise  
at Bar.

1. It shall and may be lawful for the Law Society of Upper Canada at any time hereafter to admit the said Harold Herson Willson to practise at the Bar of His Majesty's Courts in Ontario on his paying the proper fees in that behalf and without complying with any other requirements of the law or any other rules or regulations of the said Society in that behalf.





No. 2.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to authorize the Law Society  
of Upper Canada to admit Harold  
Herson Willson to practise at  
the Bar of his Majesty's  
Courts in Ontario.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Private Bill).*

Mr. BRACKIN.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Village of Richmond Hill.

**W**HEREAS the Municipal Council of the Corporation Pro-m 16 of the Village of Richmond Hill hereinafter called "The Corporation" has by petition represented that it is desirable that the By-law number 317 set forth in schedule "A" hereto, and the debentures issued or to be issued thereunder, and the assessments made or to be made, and the rates levied or to be levied for the payment of said debentures be validated and confirmed, and that said municipal council be authorized and empowered to conduct and operate the building provided for by said by-law as a community skating and hockey rink, and also as a public hall or place for holding public meetings, concerts, entertainments, agricultural exhibitions and for other community purposes; and whereas it is expedient to grant the prayer of said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** By-Law Number 317 set forth in schedule "A" hereto By-law No. 317 confirmed and all debentures issued or to be issued thereunder and all assessments made or to be made and all rates levied or to be levied for the payment of the said debentures or any of them or any portion thereof and the interest thereon, are confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof.

**2.** The municipal council of said corporation is empowered Management of building and authorized to conduct and operate the building provided for by said by-law as a community skating and hockey rink, and also as a public hall or place for holding public meetings, concerts, entertainments, agricultural exhibitions and for other community purposes.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

## SCHEDULE "A."

## By-Law No. 317.

To provide for the raising of certain sums of money by way of debentures for the purpose of the construction of a Skating Rink in the Village of Richmond Hill.

Whereas it is deemed desirable and in the best interests of the Community that a Skating and Hockey Rink should be constructed within the Village of Richmond Hill and that the said Rink should be operated by the Village Council, and

Whereas it is advisable that the erection of the said Rink should be proceeded with at an early date, and

Whereas the erection of the said Rink will involve the expenditure of Twelve thousand dollars, and whereas it will require the said sum of Twelve thousand dollars in order that the said Rink may be erected, and

Whereas Twelve thousand dollars is the amount of the debt intended to be created by this By-law, and

Whereas the amount of the whole rateable property of the Village of Richmond Hill, according to the last revised assessment roll of the said Village is \$591,202.00 and whereas the General Debenture Debt of the said Village amounts to \$154,279.95 of which no part of the principal or interest is in arrear, and

Whereas in order to provide for the said debt it is expedient to issue Debentures of the said Village to the amount of Twelve thousand dollars bearing interest at the rate of six per cent. per annum, and that such principal sum shall be repayable in yearly sums extending over a period of Fifteen years from the date of the issue of such debentures of such amounts, that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of said period, and

Whereas it will require the sum of \$1,235.55 to be raised annually as aforesaid by a special rate on the whole rateable property in the said Village in addition to all other rates, for the paying of the said debt and interest.

Now therefore the Municipal Council of the Corporation of the Village of Richmond Hill enacts as follows:—

1st. That the Reeve of the said Corporation be, and he is hereby authorized to borrow the said sum of \$12,000 on the credit of the Corporation for the purpose of building a Rink as aforesaid, said Rink to be of wood and iron construction, and to be built according to plans approved by the Village Council.

2nd. That the Reeve of the said Corporation be and he is hereby authorized to issue Debentures of the said Corporation for the said sum of \$12,000 payable at the office of the Village Treasurer, said debentures to be signed by the Reeve and Treasurer of the said Corporation and sealed with the Corporate Seal.

3rd. That within the period of 15 years there shall be raised and levied annually by a special rate, in addition to all other rates, upon the whole rateable property of the said Village the yearly sum of \$1,235.55 for the payment of the said debt and interest as aforesaid.

4th. That the said Debentures shall all bear the same date and shall be issued within two years after the date of the passing of this By-law and may bear any date within such period and shall be payable in 15 annual instalments during the 15 years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be as follows:—

	Annual Amount.	Principal.	Interest.
1. ....	\$1,235 55	\$515 55	\$720 00
2. ....	1,235 55	546 48	689 07
3. ....	1,235 55	579 27	656 28
4. ....	1,235 55	614 03	621 52
5. ....	1,235 55	650 87	584 68
6. ....	1,235 55	689 92	545 63
7. ....	1,235 55	731 32	504 23
8. ....	1,235 55	775 20	460 35
9. ....	1,235 55	821 71	413 84
10. ....	1,235 55	871 01	364 54
11. ....	1,235 55	923 27	312 28
12. ....	1,235 55	978 67	256 88
13. ....	1,235 55	1,037 39	198 16
14. ....	1,235 55	1,099 63	135 92
15. ....	1,235 55	1,165 68	69 87
	<hr/> \$18,533 25	<hr/> \$12,000 00	<hr/> \$6,533 25

5th. That this By-Law shall come into operation and be of full force and effect on and after the day of the final passing thereof.

Read a first and second time and read in Committee the 11th day of September, 1922.

Read a third time and passed the 24th day of October, 1922.

(Sgd.) THOS. H. FRENCH, *Reeve*.

(Sgd.) A. J. HUME, *Clerk*.

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No. 3.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the  
Village of Richmond Hill.

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1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

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(*Private Bill*).

MR. HENRY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to confirm By-law number 765 of the Town of Simcoe.

**W**HEREAS the Municipal Corporation of the Town of Preamble Simcoe has represented by petition that the electors of the said Town of Simcoe having duly approved thereof by a vote of more than two-thirds of those voting on the by-law and by the unanimous vote of the council, the said corporation did on the ninth day of January, 1923, pass a by-law number 765 of the said town to authorize the Municipal Corporation of the Town of Simcoe to accept the sum of Nine Thousand dollars (\$9,000) from The Simcoe Mitt & Glove Company, Limited, in full payment of the mortgage held by the Municipal Corporation of the Town of Simcoe upon the lands of the said company and to authorize the said municipal corporation to enter into an agreement with the said company in respect thereof; and whereas the said Municipal Corporation of the Town of Simcoe has by the petition prayed that an Act may be passed ratifying and confirming the said by-law and the agreement therein referred to; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as the *Town of Simcoe Act, 1923*.

2. By-law number 765 of the Municipal Corporation of the Town of Simcoe and the agreement therein referred to both of which are set forth in full in Schedule "1" hereto, are hereby ratified and confirmed and declared to be legal and valid and binding upon the said municipal corporation and the ratepayers thereof and all parties to the said agreement. By-law No. 765 of Town of Simcoe and agreement with Simcoe Mitt & Glove Co., confirmed.

3. Except as altered or varied by the said by-law number 765 and the agreement therein referred to, by-law number 673 of the Corporation of the Town of Simcoe and the agreement forming a part thereof, and the mortgage given in pursuance of such agreement, as confirmed by the Act passed in the seventh year of the reign of His Majesty King George V, chaptered 88, shall remain in full force and effect. By-law No. 673, Simcoe, to remain in force except as varied by By-law No. 765, Simcoe.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## SCHEDULE "1"

BY-LAW No. 765

Of the Municipal Corporation of the Town of Simcoe, being a by-law to authorize the Municipal Corporation of the Town of Simcoe to accept the sum of Nine Thousand Dollars (\$9,000.00) from The Simcoe Mitt & Glove Company, Limited, in full payment of the mortgage held by the Municipal Corporation of the Town of Simcoe upon the lands of the said Company and to authorize the said Municipal Corporation to enter into an agreement with the said Company in respect thereof, said agreement to be substantially in the terms and to the effect of the form of agreement hereunto annexed and marked Schedule "A."

Whereas the Municipal Corporation of the Town of Simcoe holds a mortgage upon the lands of The Simcoe Mitt & Glove Company, Limited, upon which there is now owing the sum of Seventeen Thousand, Five Hundred and Nine and 34-100 Dollars for principal and some interest.

And whereas the said mortgage is in arrears and the said The Simcoe Mitt & Glove Company, Limited, is unable to pay the sums so in arrears and is in need of financial assistance and is desirous of obtaining new capital.

And whereas the said Company has offered to pay to the said Municipal Corporation of the Town of Simcoe the sum of Nine Thousand Dollars (\$9,000.00) in full settlement of the said mortgage.

And whereas it is desirable and in the interests of the said Corporation to accept the sum of Nine Thousand Dollars (\$9,000.00) in full settlement of the said mortgage and to discharge the same.

And whereas it is advisable that a by-law should be passed for the purposes aforesaid and for authorizing the Municipal Corporation of the Town of Simcoe to enter into an agreement with respect thereto, such agreement to be substantially in the terms and to the effect of the form of agreement hereunto annexed and marked Schedule "A".

Therefore, The Municipal Council of the Corporation of the Town of Simcoe enacts as follows:—

1. That it shall be lawful for the Municipal Corporation of the Town of Simcoe to enter into an agreement with the said The Simcoe Mitt & Glove Company, Limited, with reference to the payment of the said mortgage, such agreement to be substantially in the terms and to the effect of the form of agreement hereunto annexed and marked Schedule "A" and upon the execution of the said agreement by the said Company, the Mayor and Clerk of the Municipal Corporation of the Town of Simcoe are each hereby authorized and empowered and required to enter into and execute and deliver the said agreement to the said Company under the seal of the Municipal Corporation of the Town of Simcoe, which said seal the Clerk of the said Town is hereby authorized and empowered to attach to said agreement.

2. This by-law shall take effect and come into force on the day of the final passing thereof.

Passed in open Council this ninth day of January, 1923.

R. B. BAILLIE, *Mayor.*

(Seal)

W. F. McFALL, *Clerk.*



## SCHEDULE "A".

Memorandum of Agreement made in duplicate this            day of  
January, 1923.

Between:

THE MUNICIPAL CORPORATION OF THE TOWN OF SIMCOE,  
hereinafter called the "Corporation,"

of the first part;

—and—

THE SIMCOE MITT & GLOVE COMPANY, LIMITED,  
hereinafter called the "Company,"

of the second part.

Whereas by agreement bearing date the eighteenth day of April, 1916, made between the Company (then known as or called The Unique Shoe Company, Limited) and the Corporation, the Corporation agreed to loan the Company the sum of Twenty Thousand Dollars (\$20,000.00) upon the terms and conditions set forth in said agreement, the said sum of Twenty Thousand Dollars (\$20,000.00) with interest to be repaid to the Corporation in yearly instalments to be secured by mortgage on the lands of the Company all of which will more fully appear by reference to said agreement.

And whereas pursuant to said agreement the said Company did give a mortgage to the Corporation for the sum of Twenty Thousand Dollars (\$20,000.00) bearing date the first day of September, 1916, and registered in the Registry Office for the County of Norfolk on the twenty-ninth day of November, 1916, as No. 133457 upon the following lands and premises namely:—

All and singular that certain parcel or tract of land and premises situate, lying and being in the Town of Simcoe in the County of Norfolk and Province of Ontario and being composed of Lot number nine in block number one hundred and twenty-four of the said Town of Simcoe according to a map or plan of the said Town registered in the Norfolk Registry Office as Plan number 20-B, saving and excepting thereout and therefrom the westerly forty feet thereof heretofore conveyed by instrument dated the thirteenth day of June, 1913, and registered in the Norfolk Registry Office as number 125825.

And whereas there is now owing upon the said mortgage the sum of Seventeen Thousand, Five Hundred and Nine and 34-100 Dollars for principal and some interest.

And whereas the said mortgage is in arrears and the said Company is unable to pay the sums so in arrears.

And whereas the said Company is in need of financial assistance and is desirous of obtaining new capital.

And whereas the said Company has offered to pay to the said Corporation the sum of Nine Thousand Dollars (\$9,000.00) in full settlement of said mortgage.

And whereas it is desirable and in the interests of the said Corporation to accept the sum of Nine Thousand Dollars (\$9,000.00) in full settlement of the said mortgage and to discharge the same.

Now, therefore, each of the parties hereto doth hereby mutually covenant, promise and agree to and with the other as follows, that is to say:—

1. The said Company hereby agrees to pay to the said Corporation the sum of Nine Thousand Dollars (\$9,000.00) on or before the first day of July, 1923, and the said Corporation hereby agrees to accept from the said Company the said sum of Nine Thousand Dollars (\$9,000.00) on or before the said last mentioned date in full payment of the said mortgage

and discharge said mortgage upon receiving the said sum of Nine Thousand Dollars (\$9,000.00) on or before the said first day of July, 1923, and the Mayor and Clerk of the said Municipal Corporation are hereby authorized to sign and execute and deliver a discharge of the said mortgage in the statutory form to the said Company upon receiving the said sum of Nine Thousand Dollars (\$9,000.00) on or before said last mentioned date and the Clerk of the said Municipal Corporation is hereby authorized to attach the seal of the said Corporation to the said discharge.

2. All the other covenants and provisions of said agreement except as herein varied, both on the part of the said Company and the said Corporation to be performed, shall remain in full force and effect except that the said Company is to be at liberty to fulfill its obligations under the said agreement by its lessees or tenants or partly by itself and partly by its lessees or tenants instead of by itself alone.

3. This agreement shall not have any force nor effect until the by-law authorizing the execution hereof and this agreement shall have been confirmed and validated by the Legislature of the Province of Ontario and until such confirmation and validation has been obtained this agreement shall have no force nor effect.

In witness whereof the Corporation has hereunto set its corporate seal and the hands of the Mayor and Clerk of the said Corporation and the Company has hereunto set its corporate seal and the hands of its President and Secretary.

Scaled and delivered and countersigned by the respective officers above mentioned.

In the presence of—	R. B. BAILLIE, <i>Mayor.</i>
	W. F. McFALL, <i>Clerk.</i>
W. P. MacKAY.	

	THE SIMCOE MITT & GLOVE CO., LIMITED.
	G. H. LUSCOMBE, <i>President.</i>
(Seal)	B. W. WHITESIDE, <i>Sec.-Treas.</i>







No. 4.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to confirm By-law No. 765 of  
the Town of Simcoe.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. SEWELL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Kitchener.

**W**HEREAS the owners of lands abutting on that part of Lancaster Street in the City of Kitchener lying between Guelph Street and the City Limits, have, by their petition, represented that a concrete pavement was laid by the Corporation of the said City in the year 1921 on the said street from Queen Street to the City Limits as a local improvement under the provisions of *The Local Improvement Act*; that the construction of the said work was authorized by By-law number 1635 of the said City; that the whole cost thereof, except street intersections, was specially assessed against the owners of the lands abutting on the said highway and made payable in ten equal annual instalments expiring in 1931; that payment was provided for by By-law number 1655 of the said City by the issuing of debentures; and whereas the said owners have also represented that all their lands are used for farm purposes and that no part thereof is laid out into building lots or is in any manner subdivided; that Lancaster Street is one of the leading highways of the City of Kitchener leading, as it does, from the Village of Bridgeport, the Township of Waterloo and adjacent territory into the heart of the said City and which road at all times bears a heavy traffic; that the object of the City in constructing the said pavement was to facilitate travel over and along one of the main arteries leading to and from the City and to link up Lancaster Street by means of a concrete pavement with a permanent roadway similarly constructed, forming part of the County Road System of the County of Waterloo and running from the City Limits on Lancaster Street through the said Village of Bridgeport and on into the said Township of Waterloo; that the value of their lands is not materially increased by reason of the construction of the said pavement but that the said City at large derives a considerably greater advantage therefrom; that it is unjust and inequitably that they should be assessed with the whole cost of the said pavement; and whereas the said owners have, by petition, prayed that an Act may be passed providing for the assessment and

*Preamble.*  
*Rev. Stat.,  
c. 193.*

payment by the Corporation of the City of Kitchener out of general rates, of one-half of the sums assessed against their lands for the construction of the said pavement; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Assumption  
of one-half  
cost of  
pavement on  
part  
Lancaster  
Street by  
City.

**1.** The Corporation of the City of Kitchener shall assume and pay out of general rates one-half of the sums, rates or levies assessed against the lands of William Hopp, Jacob Giller, Jacob L. Schiebel, Eben O. Weber, Archibald Lockhart, Harvey J. Sims, Elizabeth M. Cressman and Dominion Sugar Company, Limited, their successors and assigns, for the cost of construction of that part of the pavement laid in the year 1921 on Lancaster Street in the said City between Guelph Street and the City Limits pursuant to the provisions of By-law number 1635 of the said Corporation passed on the seventeenth day of October, 1921, and the special assessment roll prepared in connection therewith.

Collection  
of special  
rate.

**2.** The Municipal Council of the City of Kitchener shall levy and collect, in addition to all other rates to be levied in each year, a special rate on all the rateable property in the said City sufficient to pay one-half of the amounts already fallen due and which shall hereafter fall due annually of the proportion of the principal and interest imposed upon the lands of the said owners of certain debentures issued for payment of the cost of the said pavement under By-law number 1655 of the said Corporation passed on the first day of May, 1922.

Refunding  
one-half  
taxes  
already  
paid.

**3.** The said Corporation shall refund to such owners, as shall have already paid any taxes imposed against their lands for the purposes aforesaid, one-half the amount thereof.

Inconsistent  
provisions of  
By-laws  
1635 and  
1655  
repealed.

**4.** Any parts of said By-laws numbered 1635 and 1655 and of the said special assessment roll inconsistent with the provisions of this Act are hereby repealed.





No. 5.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City  
of Kitchener.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.


(*Private Bill*).

MR. ASMUSSEN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Kitchener.




**W**HEREAS the owners of lands abutting on that part of Lancaster Street in the City of Kitchener lying between Guelph Street and the City Limits, have, by their petition, represented that a concrete pavement was laid by the Corporation of the said City in the year 1921 on the said street from Queen Street to the City Limits as a local improvement under the provisions of *The Local Improvement Act*; that the construction of the said work was authorized by By-law number 1635 of the said City; that the whole cost thereof, except street intersections, was specially assessed against the owners of the lands abutting on the said highway and made payable in ten equal annual instalments expiring in 1931; that payment was provided for by By-law number 1655 of the said City by the issuing of debentures; and whereas the said owners have also represented that all their lands are used for farm purposes and that no part thereof is laid out into building lots or is in any manner subdivided; that Lancaster Street is one of the leading highways of the City of Kitchener leading, as it does, from the Village of Bridgeport, the Township of Waterloo and adjacent territory into the heart of the said City and which road at all times bears a heavy traffic; that the object of the City in constructing the said pavement was to facilitate travel over and along one of the main arteries leading to and from the City and to link up Lancaster Street by means of a concrete pavement with a permanent roadway similarly constructed, forming part of the County Road System of the County of Waterloo and running from the City Limits on Lancaster Street through the said Village of Bridgeport and on into the said Township of Waterloo; that the value of their lands is not materially increased by reason of the construction of the said pavement but that the said City at large derives a considerably greater advantage therefrom; that it is unjust and inequitably that they should be assessed with the whole cost of the said pavement; and whereas the said owners have, by petition, prayed that an Act may be passed providing for  an appeal by


Preamble.  
Rev. Stat.  
c. 193.

them to the Ontario Railway and Municipal Board to determine what part of the cost of the pavement specially assessed against their lands should be borne by the corporation at large; and whereas, *subject as hereinafter provided*, it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Assumption  
of one-half  
cost of  
pavement on  
part  
Lancaster  
Street by  
City.

**1.** *A majority of the following owners, viz:* William Hopp, Jacob Giller, Jacob L. Schiebel, Eben O. Weber, Archibald Lockhart, Harvey J. Sims, Elizabeth M. Cressman and Dominion Sugar Company, Limited, their successors and assigns  may, within 3 months after this Act comes into force, appeal to the Ontario Railway and Municipal Board against the special assessment made against their lands  for the cost of construction of that part of the pavement laid in the year 1921 on Lancaster Street in the said City between Guelph Street and the City Limits pursuant to the provisions of By-law number 1635 of the said Corporation passed on the seventeenth day of October, 1921,  and the said Board on such appeal shall have power to determine what part of the special rates imposed by the special assessment roll against such lands should be borne by the corporation at large, and what part of any such special rates heretofore paid by such owners should be refunded to them by the corporation.

**2.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. 



No. 5.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL,  
An Act respecting the City  
of Kitchener.

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1st Reading,	2nd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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*(Reprinted as amended by the Private Bills  
Committee)*

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MR. ASMUSSEN.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Georgetown.

**W**HEREAS the Corporation of the Town of Georgetown Preamble. has, by its petition, represented that Smith & Stone, Limited (hereinafter called the Company) a Company which is established and has been carrying on within the said Town the business of manufacturing electrical supplies, did apply to the Corporation for a loan of \$40,000 for the purpose of assisting it to enlarge its present factory in the said Town, and to erect, equip and instal a pottery plant as an addition thereto and to build a railway siding to the said factory, upon the terms set out in an agreement duly entered into between the Corporation and the Company, a copy of which agreement is annexed to the by-law hereinafter referred to; and whereas the Council of the said Corporation deemed it expedient and in the best interests of the Corporation that such a loan should be granted, and for this purpose did submit to the electors of the Corporation, for their assent, a by-law entitled "By-law Number 414 of the Town of Georgetown, a by-law to authorize the issue of debentures of the Town of Georgetown, to the amount of Forty Thousand Dollars, to grant a bonus by way of loan to Smith & Stone, Limited, to assist it to enlarge their present factory and to put up, equip and operate a pottery plant and build a railway siding into their said factory" a copy of which said by-law is set out in Schedule "I" hereto; and whereas of the electors who voted on the by-law more than two-thirds voted in favour thereof; and, whereas the by-law was subsequently finally passed by the affirmative vote of three-fourths of all the members of the Council of the said Corporation; and, whereas the mortgage referred to in the said agreement has been duly executed and delivered to the Corporation and has been registered; and whereas the Corporation has issued debentures as provided for by the said by-law; and whereas doubt has arisen as to the validity of the said by-law and of the said debentures; and whereas the Corporation has by its petition prayed that an Act may be passed to validate and confirm the said by-law and the debentures issued or to be issued thereunder; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

By-law No.  
414 of Town  
of George-  
town and  
agreement  
with Smith  
and Stone,  
Ltd., con-  
firmed.  
Debentures  
and rates  
validated.

**1.** By-law Number 414 of the Municipal Corporation of the Town of Georgetown and the agreement therein referred to, both of which are set forth in full in Schedule "I" hereto are hereby ratified and confirmed and declared to be legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof and upon the parties to the said agreement, and all debentures heretofore issued thereunder, and all assessments made or to be made, and all rates levied or to be levied for the payment thereof, are validated and confirmed, and the said Corporation is declared to have had power to pass, issue and levy the same.

**2.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



## SCHEDULE "I"

## By-Law No. 414.

A by-law to authorize the issue of debentures of the Town of Georgetown, to the amount of Forty thousand dollars; to grant a bonus by way of loan to Smith and Stone Limited to assist it to enlarge their present factory and to put up, equip and operate a Pottery Plant and build a railway siding into their said factory.

Whereas the said Smith and Stone Limited, Electrical Manufacturers, carry on a business for manufacturing electrical fittings in its factory situate in the said Town of Georgetown.

And whereas, the said Smith and Stone Limited desire to enlarge their present factory and put up, equip and operate a Pottery plant and build a siding into its said factory.

And whereas in order to enlarge their said factory and to put up, equip and operate said pottery plant and to build said siding, the said Smith & Stone has asked the said corporation of Georgetown to lend it the sum of Forty thousand dollars to assist it to enlarge its present factory and to put up, equip and operate said pottery plant and to build said siding.

And whereas there is no other manufactory of a similar nature or kind established in the said Town of Georgetown.

And whereas the said Smith & Stone has entered into an agreement with the said Corporation of Georgetown, dated the twenty-fourth day of July, 1922, subject to the approval of the duly qualified electors of the said Town of Georgetown, a copy whereof is set forth in the Schedule hereunto annexed and marked "A".

And whereas it is expedient to pass this by-law and submit the same to the electors of the said municipality to raise by way of loan the said sum of Forty thousand dollars to assist by way of bonus the said Smith & Stone Limited to enlarge its said factory and to put up, equip and operate said pottery plant and to build a railway siding to better enable them to operate and carry on its said business in the said factory.

And whereas for the purposes aforesaid it will be necessary to issue debentures of the said Municipality for the sum of Forty thousand dollars, the proceeds of the said debentures to be applied to the purposes aforesaid and to no other.

And whereas it is desirable to issue said debentures at one time and make the principal of the said debentures repayable by yearly sums during the period of twenty years being the currency of the said debentures, said yearly sums being of such respective amounts that the amount payable in each year for principal and interest in respect of the said debentures shall be equal to the amount payable in each of the other years of the said period as is hereinafter mentioned.

And whereas the amount of the existing debenture debt of the said municipality exclusive of local improvement debts secured by special assessments is \$37,499.44 of which no part of the principal or interest is in arrear.

Whereas the whole rateable property of the said Municipality liable to be rated for the said purpose irrespective of any future increase in the same, according to the last revised assessment roll is \$936,500.00.

Therefore, the Municipal Council of the Town of Georgetown, enacts as follows:

1. That the said agreement hereunto annexed and marked "A" is hereby ratified and confirmed.

2. That it shall and may be lawful for the Corporation of the Town of Georgetown to loan to the said Smith & Stone Limited, the sum of Forty thousand dollars, as by way of bonus in aid of the said business, upon the terms, conditions, stipulations and provisos set out in the agreement hereunto annexed and marked "A."

3. That for the purposes mentioned in the preamble there shall be borrowed on the credit of the Corporation the sum of Forty thousand dollars and debentures shall be issued therefor on the instalment plan in sums of not less than One hundred dollars each, payable in the manner and for the amounts and at the times set forth in paragraph four hereof.

4. That the said debentures shall all bear interest at the rate of six per cent. per annum having coupons attached for payment of such interest and shall all bear the same date and shall be issued within two years after the date on which this by-law is passed, and may bear any date within such period of two years, and shall be payable at The Bank of Montreal, Georgetown, Ontario, within twenty years next after the date when they shall be issued, and the respective amounts payable in each of such years shall be as follows:

	Interest	Principal	Total
1.....	2,400 00	1,087 36	3,487 36
2.....	2,334 72	1,152 64	3,487 36
3.....	2,265 56	1,221 80	3,487 36
4.....	2,192 28	1,295 08	3,487 36
5.....	2,114 56	1,372 80	3,487 36
6.....	2,032 20	1,455 16	3,487 36
7.....	1,944 88	1,542 48	3,487 36
8.....	1,852 36	1,635 00	3,487 36
9.....	1,754 24	1,733 12	3,487 36
10.....	1,650 24	1,837 12	3,487 36
11.....	1,540 04	1,947 32	3,487 36
12.....	1,423 20	2,064 16	3,487 36
13.....	1,299 32	2,188 04	3,487 36
14.....	1,168 04	2,319 32	3,487 36
15.....	1,028 88	2,458 48	3,487 36
16.....	881 40	2,605 96	3,487 36
17.....	725 04	2,762 32	3,487 36
18.....	599 28	2,928 08	3,487 36
19.....	383 60	3,103 76	3,487 36
20.....	197 36	3,290 00	3,487 36
	29,747 20	40,000 00	69,747 20

5. That for the purposes of paying the said instalments of principal and interest as the same fall due respectively during the said twenty years, being the currency of the said debentures there shall be levied and raised in each year by a special rate sufficient therefor on all the rateable property in the said Municipality the sum of 3,487.36/100 dollars, at the same time and in the same manner as the annual general rates.

6. Each of the said debentures shall be signed by the Mayor and shall be signed also by the Treasurer, and the debentures shall be sealed with the seal of the Corporation.

7. The debentures may contain any provision for the registration of them authorized by law.

This by-law shall take effect on the date of the passing thereof subject to it being assented to by the electors.

Finally passed by an affirmative vote of three-quarters of all the members of the Council this 15th day of September, A.D. 1922.

F. L. HEATH,  
*Clerk.*

LEROY DALE,  
*Mayor.*

[Seal]

## SCHEDULE "A"

This Indenture made in duplicate this twenty-fourth day of July in the year of our Lord, one thousand nine hundred and twenty-two, between Smith & Stone, Limited, of the Town of Georgetown, Electrical Manufacturers, hereinafter called the Company, of the first part, and

The Corporation of the Town of Georgetown, hereinafter called the Corporation, of the second part.

Whereas the said Company are now manufacturing Electrical Fittings in its factory in the said Town of Georgetown.

And whereas the said Company desire to enlarge their present plant and to put up, equip and operate a pottery plant and to put in a railway siding on their property provided a loan of Forty thousand dollars is granted to the said Company by the said Corporation.

And whereas the said Corporation has agreed to submit for the approval of the qualified electors of the Town of Georgetown, and to finally pass, if approved by the vote of the said electors, a by-law to confirm and approve this agreement and a bonus by way of loan of the sum of Forty thousand dollars payable in cash.

Now this agreement witnesseth that in consideration of the premises and of the terms of this agreement, the said parties hereto do hereby mutually covenant and agree to and with each other as follows, that is to say; The said Company agree:

1. That as soon as possible after this agreement is executed by the said Corporation and the by-law confirming the same is passed, after approval of electors, to proceed with all proper diligence to erect upon their said factory site in the Town of Georgetown, all necessary kilns and buildings for a suitable pottery plant for the manufacture of porcelain, also to put and place in said pottery plant all necessary machinery and equipment suitable for the carrying on of the said pottery business and also to proceed with all proper diligence to enlarge their present plant and also to put in a siding on their property at a cost of at least forty thousand dollars.

2. The said Company shall erect and complete the said pottery plant and shall place the said fixtures, machinery and equipment therein and have the same in operation as a going concern on the 31st day of December, 1922 (subject to unavoidable delays), or within such further time as may be allowed by the said Corporation and will also have their said present plant enlarged and the siding on their property completed by said date or within such further time as may be allowed by the said Corporation.

3. That they will carry on the Electrical Fitting business and the Pottery business in the said Town of Georgetown in their said factory or other suitable buildings for a period of twenty years from the first day of January, 1923, unless in case of fire, accidents to machinery, strikes or for any other cause, such as shall render an interruption unavoidable, and in any such case operations shall be resumed as soon as possible thereafter, not exceeding twelve months in case of total loss by fire, and in case of any interruptions by total loss by fire as aforesaid, shall be for a longer period than three months in any years, the said Company's business shall be continued and carried on after the said term for a period equal to the time of the said interruptions from any cause as aforesaid, other than from total loss by fire, shall be for a longer period than two months, in any year, the said Company's business shall be continued and carried on after the said term for a period equal to the time of interruption over and above the said two months; the said Company to have the right to shut down the said factory, during one month in each year, during the said period of twenty years, for the purpose of taking stock or of making repairs, which said one month nevertheless counts as part of the said twenty years, and

the said business shall be deemed to be in operation for the purpose of calculating the said period.

4. That the said Company will put \$25,000 additional capital in the said business by December 31st, 1923.

5. That they will repay to the said Corporation the amount of the said loan of forty thousand dollars with interest at the same rate as the said Corporation is required to pay to obtain the money and said loan is to be repaid within twenty years from the date that the said money is loaned by the said Corporation to the said Company. The principal and interest to be combined and payable in twenty equal successive annual instalments of the amount required to pay off the bond issue of the said Corporation to obtain the said loan of forty thousand dollars. The first of such combined payments of principal and interest to become due and to be paid one year from the date of the mortgage hereinafter mentioned.

6. That they will execute in favour of the said Corporation, as security for the said loan of forty thousand dollars and interest as aforesaid and as security for the performance of all the covenants, agreements, stipulations and provisos herein contained on the part of the said Company, a mortgage to the said Corporation upon the said lands, and premises, pottery plant, buildings, plant and machinery and upon all other fixtures, plant and machinery placed or erected upon the said lands and premises in connection with the said factory, free from all dower, liens, charges and encumbrances of every nature and kind and upon all buildings, plant and machinery that may be subsequently erected or brought upon the said premises during the currency of said mortgage and the said lands, buildings, machinery and plant to be of the value of one hundred thousand dollars. The said mortgage to contain such covenants as are usually contained in a mortgage made in pursuance of the Short Forms of Mortgages Act, and such other covenants as the said Corporation shall deem advisable for the security thereby intended, quiet possession on default, freedom from encumbrances except as herein mentioned, further assurance that no act has been done to encumber the said lands, except as herein mentioned, insurance to the extent of their full insurable value in dollars currency of lawful money of Canada, on the buildings, plant and machinery on the mortgaged premises, a release from all claims subject to the proviso for repayment, a power of sale on default for three months on one month's notice in writing and until default the Mortgagors to have quiet possession and a proviso for the repayment of the said sum of forty thousand dollars and interest at the rate per annum in the amounts and at the times mentioned in the preceding paragraph hereof. The said mortgage shall provide that all terms, covenants and conditions and provisos of this agreement shall so far as the same may be applicable to both parties hereto be included in and form part of the said mortgage until the same is discharged as hereinafter provided and shall be satisfactory in all respects to the solicitor for the Corporation.

7. That they will employ in their present factory and in the pottery plant, 100 employees within one year of the 31st day of December, 1922 and 150 employees within two years therefrom the employees to be residents of said Corporation.

The said Corporation agrees:

1. That it will make the said loan to the said Company upon the terms and conditions herein contained.

2. That it will submit to the duly qualified ratepayers of the said Town of Georgetown, for the purpose of obtaining their consent, a by-law to ratify this agreement and to authorize the said Corporation to raise the sum of Forty thousand dollars and to issue debentures therefor for the purposes aforesaid, and if so approved to finally pass the said by-law.

3. That it will pay the said company the said sum of Forty thousand dollars after the by-law has been approved by the said duly qualified ratepayers of the said Town of Georgetown and finally passed by the

Council of the said Corporation, and the said mortgage aforesaid given to the said Corporation, said sum of Forty thousand dollars to be placed to the credit of the said Corporation in the Bank of Montreal at Georgetown, Ontario, and to be payable to the said Company as soon as the plant is completed but the Corporation shall make advances to the Company as and when required by the Company to the extent of 80 per cent. of the amount so required. The Company shall furnish the Corporation with expenditure vouchers if and when required by the Corporation so to do.

And it is further understood and agreed by and between the parties hereto that if the Corporation should submit such by-law and if such by-law should not receive a vote sufficient to carry a bonus by-law by the provisions of the Municipal Act, then this agreement shall be null and void, and the parties hereto shall be released from all liability or obligation thereunder.

And it is further understood and agreed between the parties hereto that wherever either of the parties hereto are referred to, such reference shall, when the context so allows, be deemed to include and extend to and be binding on heirs, executors, administrators, successors and assigns of each of the said parties.

In witness whereof the said parties hereunto affixed their Corporate Seals.

Sealed and delivered and countersigned respectively in the presence of:

As to the signature of W. H. SMITH and LOUIS SINGER. H. B. SYMONDS.	$\left\{ \begin{array}{l} \text{W. H. SMITH, President of Smith \& Stone,} \\ \text{Limited.} \\ \text{LOUIS SINGER, Secretary-Treasurer of} \\ \text{Smith \& Stone, Limited.} \end{array} \right.$
As to the signature of LEROY DALE and F. L. HEATH. J. A. THOMPSON.	
	$\left\{ \begin{array}{l} \text{LEROY DALE, Mayor of Corporation of} \\ \text{Georgetown.} \\ \text{F. L. HEATH, Clerk of the Corporation of} \\ \text{Georgetown.} \end{array} \right.$

No. 6

4th Session, 15th Legislature,  
13 George V, 1923

BILL.

An Act respecting the Town of  
Georgetown.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Private Bill).*

MR. CURRY.  
(Toronto S.E. Seat B.)

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to enable the Town of Brampton to  
withdraw from the jurisdiction of the  
County Council of the County of  
Peel.

**W**HEREAS the Municipal Corporation of the Town Preamble.  
of Brampton has by its petition represented that the  
said Town of Brampton has for many years formed a part  
of the County of Peel, and that the said town is adjacent to  
a prosperous agricultural district; and whereas the said  
town contains a number of important industries, and by  
reason of its location, and by reason of its important manu-  
facturing industries, its municipal requirements are entirely  
distinct from those of all other municipalities in the said  
County of Peel; and whereas there are no other incorporated  
towns in the said County of Peel; and whereas the said  
town has notified the County Council of the County of  
Peel of its intention to apply for withdrawal of the said  
Town of Brampton from the jurisdiction of the County  
Council of the County of Peel; and whereas the said Town  
of Brampton has petitioned to have the town withdrawn  
from the jurisdiction of the County Council of the County  
of Peel; and whereas, from the conditions hereinbefore  
recited as well as from other considerations, it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Town of Brampton Act*, Short title.  
1923.

**2** In this Act:

Interpre-  
tation.

(a) "Town" shall mean the Town of Brampton; "Town."

(b) "County" shall mean the County of Peel. "County."

By-law to  
separate  
town from  
county.

1922 c. 72.

**3.** The council of the town may pass a by-law to withdraw the town from the jurisdiction of the county council of the county within which said town is situated, upon obtaining the assent of the municipal electors of the said town to the by-law in the manner provided by *The Consolidated Municipal Act, 1922*.

Town  
required to  
pay share of  
certain  
expenses to  
county.

Rev. Stat.  
c. 124.

1922 c. 72.

**4.** After the passing of the by-law, the said town shall as part of the county for judicial purposes bear and pay its share or proportion to be agreed upon or settled by arbitration as hereinafter mentioned of all charges and expenses from time to time incurred for the purpose mentioned in section 23 of *The Registry Act* and in erecting, enlarging, improving, repairing and maintaining the court house and gaol of the said county, and of the proper lighting, heating and cleaning thereof; of drafting, selecting, enrolling and paying jurors; and providing accommodations and other matters mentioned in subsection 1. of section 377 of *The Consolidated Municipal Act, 1922*; and of all charges relating to the administration of justice, including coroners' inquests and fees of county constables which shall in the first instance be borne and paid by the county, excepting only such costs, charges and expenses as the said county is entitled to be repaid by the Province of Ontario.

Contribution  
by town  
until and  
after  
separation.

**5.** Until separation from the county is completed the liability of the town to pay its share of the debt of the said county and the costs, charges and expenses referred to in section 3 of this Act shall remain unaltered and from and after the separation of the said town from the said county, if such separation takes place on or before the thirtieth day of June, 1923, or before the thirty-first day of December, 1923, the said town shall pay its share or proportion of the debenture debt of the said county as the same matures and becomes payable, and shall in each year thereafter pay its due share of the balance of the debenture debt of the said county in force at the time of the separation as the same existed on the first day of March, 1923, which are chargeable to the said town and its share or proportion of costs, charges and expenses referred to in section 3 of this Act. The charges and expenses hereinbefore referred to of which the town shall bear and pay its share or portion as aforesaid, shall be the net charges and expenses after deducting from such charges and expenses as aforesaid, all receipts by the said county from every source on such accounts.

Arbitration  
in case of  
failure to  
agree.

1922, c. 72.

**6.** If the charges and expenses to be borne and paid by the town under section 3 of this Act be not mutually agreed upon by the town and the county, the same shall be ascertained by arbitration under *The Consolidated Municipal*



*Act, 1922*, and the share or portion of same to be paid by the town and county respectively shall be in proportion to the respective populations of the town and county as returned and shown in the last census of the Dominion of Canada; and the said arbitrators shall apportion their respective proportions of charges and expenses as between the town and the county on the basis of their respective populations as shown by the last census taken and returned by the Dominion of Canada.

**7.** When the agreement or award has been made, a copy of the same and of the by-law duly verified by affidavit shall be transmitted to the Lieutenant-Governor who may thereupon issue his proclamation withdrawing the town from the jurisdiction of the council of the county.

Proclamation of separation by Lieutenant-Governor.

**8.** After the withdrawal of the town from the county, the county roads and bridges outside of the town shall be the sole and exclusive property of the county, and the roads and bridges within the corporate limits of the town, shall become the exclusive property of the town, but notwithstanding the withdrawal of the town from the county, the town shall retain and continue to have the same right, title and interest in all other property of the county in common with the said county as the said town possessed before such separation or withdrawal, subject, however, to the provisions of section 3 of this Act.

Title to roads, bridges and other property.

**9.** After the proclamation has been issued, the offices of Reeve and Deputy-Reeve of the Town shall cease, and no by-law of the council of the county thereafter passed shall have any force in the town, except in so far as the said by-law relates to the court house and gaol, and the town shall not thereafter be liable to the county for, or be obliged to pay to the county any money for debts or obligations of the county or for any other purpose or purposes of the county except the sums agreed upon or awarded as aforesaid and such payments as said town may be liable for in respect of the existing debenture debt of the said county as of the first day of March, 1923.

Town not to be represented in county council.

**10.** In the month of May before the lapse of five years from the time of the said agreement or award and quinquennially thereafter, a new agreement or award may be made to ascertain the amount to be paid by the town to the county in common with county hereof, and in ascertaining such amount, the same shall be based on the population of town and county as shown in the last preceding census

New agreement after lapse of five years.

of the Dominion of Canada, which shall be for all time the basis of adjustment for town and county.

Provision  
for reunion  
with county.  
1922, c. 72.

**11.** The council of the town after the expiration of five years from the withdrawal may pass a by-law to be assented to by the electors in the manner provided for by *The Consolidated Municipal Act, 1922*, in respect of by-laws for creating debts to reunite the said county. The by-law shall not come into effect until ratified and confirmed within six months after the final passing thereof by the council of the county and unless the terms and conditions upon which the town is to reunite with the county had been previously agreed upon or settled in the manner following, that is to say:—Before the by-law is confirmed by the council of the said county the council of the said town and the said county shall settle and determine by agreement the amounts of the debts and liabilities of the town and county respectively which are to be paid or borne by the county after the reunion of the town and county or what amounts are to be payable by a special rate to be imposed upon the ratepayers of the town over and above all other county rates and all other matters relating to property assets or advantages resultant upon the reunion and affecting the county or town respectively, and such other terms or conditions as appear just, shall be settled by such agreement and in default of such agreement being made within three months after the passing of the by-law by the council of the town, the said matters shall be settled by arbitration as provided by *The Consolidated Municipal Act, 1922*.







No. 7.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to enable the Town of Brampton  
to withdraw from the jurisdiction of  
the County Council of the  
County of Peel.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Private Bill).*

MR. KENNEDY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Brampton

**W**HEREAS the Municipal Corporation of the Town Preamble.  
of Brampton has by its petition represented that  
an offer was submitted to the Town of Brampton for  
the sale of certain property to be used by the Town of Brampton  
for municipal purposes; and whereas the Town of Brampton  
has accepted the said offer; and whereas the time for  
accepting the offer would not permit the submitting the  
matter to the electors for their assent; and whereas it is  
necessary that the said Town of Brampton acquire suitable  
premises for the transaction of its municipal business;  
and whereas the amount of money required to pay for the  
property to be acquired, is of such an amount as to make it  
inexpedient to pay the same out of the current expenditure  
in any one year; and whereas it is deemed advisable to raise  
money by the issue of debentures to pay for the said prop-  
erty; and whereas the Corporation of the Town of Brampton  
finds it necessary to construct a bridge across the Etobicoke  
River on Main Street South in the Town of Brampton, said  
bridge to form a part of the Provincial highway; and whereas  
the estimated cost of the construction of the said bridge is  
\$15,000; and whereas it is considered inexpedient to pay  
for the construction of the said bridge out of the current  
expenditure, and it is deemed advisable to issue debentures  
to pay for the said work; and whereas, from the con-  
ditions hereinbefore recited as well as from other considera-  
tions, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Town of Brampton Act*, Short title.  
1923.

**2.** The Council of the said Corporation may provide  
by by-law for borrowing and may borrow upon debentures  
of the Corporation, payable within ten years from the date  
Authority to  
borrow  
\$30,000 on  
debentures  
for specific  
purposes.

of issue, sums of money not exceeding the following for the specified purposes:—

- (a) \$15,000 to pay for the purchase and equipment of certain property in the Town of Brampton known as the municipal offices for municipal purposes.
- (b) \$15,000 to pay for the construction of a bridge across the Etobicoke River on Main Street south in the Town of Brampton.


Assent of  
electors not  
required.

**3.** It shall not be necessary for the Corporation of the Town of Brampton to obtain the assent of the electors of the said town qualified to vote on money by-laws, to the passing of any of the debenture by-laws which shall be passed under the provisions of section 2 of this Act, or to observe in respect thereto the formalities prescribed by *The Consolidated Municipal Act, 1922*, in relation to the passing of money by-laws.

Rate of  
interest,  
mode of  
payment.

**4.** All such debentures shall bear interest at such rate or rates as the Council of the said Corporation shall determine and the principal and interest thereof may be made payable in any manner authorized by *The Consolidated Municipal Act, 1922*.

Irregularity  
in form not  
to invalidate.

**5.** No irregularity in the form of any of the debentures issued under the authority of the Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action against the Corporation of the Town of Brampton for the recovery of the amount thereof, or interest thereon or any part thereof. 

Commence-  
ment of Act.

**6.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.





No. 7.

---

4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the Town of Brampton.

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1st Reading,	12th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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(*Reprinted as amended by the Private Bills  
Committee.*)

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MR. KENNEDY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Windsor.

**W**HEREAS the Municipal Council of the Corporation Preamble of the City of Windsor has by petition represented that it is desirable that a certain by-law specified in schedule "A" hereunto annexed, and the debentures issued or to be issued thereunder, and the assessments made or to be made, and the rates levied or to be levied for the payment of the said debentures be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The City of Windsor Act, 1923*. Short title

**2.** By-law number 2971 of the Corporation of the City By-law No. 2971 confirmed of Windsor, set out in schedule "A" hereto, and all debentures issued or to be issued thereunder and all assessments made or to be made and all rates levied or to be levied for the payment of the said debentures so authorized or any portion thereof are hereby confirmed and declared to be legal, valid and binding upon the Corporation and the ratepayers thereof.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

### SCHEDULE "A"

#### BY-LAW NO. 2971.

A By-law to authorize the issue of debentures to the amount of \$63,709.96 for payment of the City's proportion of the cost of the construction of suburban roads within the suburban area of the City of Windsor as fixed under 1915 Ontario chapter 17 and amendments thereof.

Passed the 31st day of July, 1922.

Whereas the City of Windsor is liable under a report of the Suburban Area Commission as appointed under 1915 Ontario, chapter 17, section 12 and amendments thereof, to pay its proportion of the cost of the construction of certain suburban roads, and the clerk of the County of Essex

has notified the City of the amount appropriated by the County for such construction, and has requested payment by the City of its share as fixed under said Act

And whereas it is deemed necessary to issue debentures for the said sum of \$93,709.96 with the proceeds of which to pay said share of the City to extend over a period of fifteen years on the instalment plan and to bear interest at the rate of five and one-half per cent. per annum.

And whereas it will require the sum of \$6,347.14 to be raised annually during the said period of fifteen years by a special rate sufficient therefor over and above and in addition to all other rates upon all the rateable property of the municipality for the payment of the debt so to be created and the interest thereon semi-annually at the aforesaid rate.

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll thereof, being the roll made in the year 1921, is \$50,903.625.

And whereas the amount of the existing debenture debt of the municipality, exclusive of local improvement debts, secured by special rates or assessments is \$5,121,432.26, no part of which debt nor the interest thereon is due or in arrear.

Therefore the Corporation of the City of Windsor by the Council thereof enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$93,709.96 and debentures shall be issued therefor in sums of not less than \$100.00 each, bearing interest at the rate of five and one-half per centum per annum, and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years, and shall be payable in fifteen annual instalments during the fifteen years next after the time when the same are issued, and the respective amounts of principal and interest payable in such years shall be as follows:

Year.	Principal.	Interest.	Total.
1. ....	\$2,843 10	\$3,504 04	\$6,347 14
2. ....	2,999 46	3,347 68	6,347 14
3. ....	3,164 44	3,182 70	6,347 14
4. ....	3,338 48	3,008 66	6,347 14
5. ....	3,522 10	2,825 04	6,347 14
6. ....	3,715 81	2,631 33	6,347 14
7. ....	3,920 18	2,426 96	6,347 14
8. ....	4,135 79	2,211 35	6,347 14
9. ....	4,363 26	1,983 88	6,347 14
10. ....	4,603 24	1,743 90	6,347 14
11. ....	4,856 42	1,490 72	6,347 14
12. ....	5,123 52	1,223 62	6,347 14
13. ....	5,405 31	941 83	6,347 14
14. ....	5,702 60	644 54	6,347 14
15. ....	6,016 25	330 89	6,347 14

3. The debentures as to both principal and interest may be expressed in Canadian currency or sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-thirds cents, and may be payable at the office of the Treasurer of the said City, or if in the opinion of the said Council a better price will be obtained thereby may be made payable at any place or places in Canada or Great Britain.

4. The Mayor of the Corporation shall sign and issue the debentures, and shall issue the interest coupons, and the debentures and coupons shall be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation.

5. During fifteen years the currency of the debentures, \$6,347.14 shall be raised annually for the payment of the debt and interest thereon by a special rate sufficient therefor over and above and in addition to all other rates upon all the rateable property of the municipality at the same time and in the same manner and upon the same conditions as to penalty as other rates.

6. That the debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. This by-law shall take effect on the day of the final passing thereof.

Sgd. H. W. WILSON,  
*Mayor.*

Sgd. M. A. DICKINSON,  
*Clerk.*

[SEAL]

No. 8.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of Windsor.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. TOLMIE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

## BILL

An Act to authorize the Law Society of Upper Canada  
to admit Dan Solomon Denberg to practise at  
the Bar of His Majesty's Courts in Ontario,  
and as a Solicitor in the Supreme  
Court of Ontario.

**W**HEREAS Dan Solomon Denberg of the City of Toronto, <sup>Preamble</sup>  
in the Province of Ontario, has, by his petition, set  
forth that he is a graduate in Arts of the University of Mani-  
toba and received his B.A. Degree from the said University;  
that he is also a graduate of the Law School of Manitoba and  
after completing a three-year course of study prescribed by  
the Law Society of Manitoba for admission to practise as  
Solicitor, he successfully passed all examinations prescribed  
by the said Law Society; that about the same time, namely,  
in May, 1920, he received his LL.B. Degree from the Univer-  
sity of Manitoba on his successfully passing an examination  
in all Supplementary subjects of the LL.B. course prescribed  
by the said University; that he also took the course of study  
and successfully passed the special examination prescribed  
by the Law Society of Manitoba for Call to the Bar of the  
said Province; that on the first day of May, A.D. 1918, he  
became articled to A. H. S. Murray, of the firm of Murray,  
Robertson & Doyle, in the City of Winnipeg, Barristers, and  
duly served them as Law Clerk until the 15th day of January,  
A.D. 1920, on which date by assignment in writing his articles  
of Clerkship were assigned to A. J. Sutherland, of the same  
City, Barrister, in whose office he duly served as Law Clerk  
to the 5th day of April, A.D. 1922; that on or about the  
First day of May of the same year he became articled to  
Angus McKenzie Dewar, of the firm of Mills, Raney & Dewar,  
of the City of Toronto, Barristers, in whose office he has been  
since continuously employed as Law Clerk and was enrolled  
as a member in the Law Society of Upper Canada, his articles  
of Clerkship having been duly filed in the Central Office at  
Osgoode Hall and with the Law Society of Upper Canada,  
on or about the said date; that he has been studying law for  
the space of five years, three months and has been actually

Rev. Stat.  
c. 158.

serving as a Law Clerk for the space of four years, eight months; that during his services he has had an experience in all branches of the work of the said offices including the conducting of litigation; that he has had a large and varied experience and has thereby acquired a good and practical knowledge of general law and is well versed in statute law and practice of this Province; that *The Barristers Act* of Ontario adopts the course of legal training at the Manitoba Law School prescribed by the Benchers of Manitoba as equivalent to that of the Law Society of Upper Canada, so as to exempt persons who received their legal training there from any further examinations in this Province; that according to *The Barristers Act* of Ontario it is necessary for a Student-at-law, who is a University Graduate, to be enrolled on the Books of the Law Society of Upper Canada for a period of three years before he may be admitted to practise as a Barrister; that although the said Dan Solomon Denberg has not been enrolled on the Books of the Law Society of Upper Canada for the requisite period of three years and the Law Society are therefore not empowered to exercise any discretion in his case, he has been in actual training as a student of law for more than two years and as a law clerk for one year and eight months over and above that length of time; and whereas the said Dan Solomon Denberg has prayed that an Act may be passed to enable, empower and direct the Law Society of Upper Canada to admit him to practise at the Bar of His Majesty's Courts in Ontario and as a Solicitor in the Supreme Court of Ontario; and whereas the circumstances appear to be exceptional; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Authority  
to practise  
as barrister  
and  
solicitor on  
payment of  
fees.

1. It shall and may be lawful for the Law Society of Upper Canada to admit, at any time hereafter, the said Dan Solomon Denberg to practise at the Bar of His Majesty's Courts in Ontario, and to practise as a Solicitor in the Supreme Court of Ontario, on his paying the proper fees in that behalf, and without complying with any other requirements of the Law or any other rules or regulations of the said Society in that behalf.





No. 9.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to authorize the Law Society of  
Upper Canada to admit Dan Solomon  
Denberg to practise at the Bar of  
His Majesty's Courts in Ontario,  
and as a Solicitor in the Supreme  
Court of Ontario.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. McNAMARA.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Grimsby and Baymac Tire & Rubber Company, Limited

**W**HEREAS the Municipal Corporation of the Town of Grimsby has by its petition represented that the Village of Grimsby did on the 15th day of September, 1921, enter into the agreement with the Baymac Tire & Rubber Company, Limited, set out in Schedule "A" hereto; And that the said Village of Grimsby did on the 31st day of October, 1921, pass by-law number 487, particularly set forth in Schedule "B" hereto, which said agreement and by-law among other things (a) provide for the loan of \$15,000 by the said Village of Grimsby to the said Company to be repayable as provided in the said agreement and by-law; (b) authorize the said Village to issue debentures in a sum not exceeding \$15,000, to be payable as therein provided, to raise the money necessary to make the said loan; (c) authorize the levying and collecting of a special rate for the purpose of paying the said debentures, if necessary, and (d) grant to the said Company a fixed assessment upon its property of \$5,000 for all purposes of taxation except school rates and water rates for a period of fifteen years; And that the said by-law was submitted to the electors qualified to vote thereon and duly passed in accordance with the statutory requirements in that behalf; And that the Village of Grimsby was incorporated into a Town on the 20th day of July, 1921, the existing Council, however, continuing to act until the municipal election next following the incorporation; And that a supplementary agreement was entered into by the said Company and the said Town of Grimsby, dated the 11th day of October, 1922, particularly set out in Schedule "C" hereto, whereby the period of the said fixed assessment was reduced from fifteen years to ten years and the agreement dated the 15th day of September, 1921, amended accordingly; And that a by-law of the Town of Grimsby numbered 533 was passed on the 11th day of October, 1922, authorizing the said Town of Grimsby to execute the last mentioned agreement, which said by-law is more fully set out in Schedule

"D" hereto; And that a further by-law Number 534 was passed by the said Town of Grimsby on the 11th day of October, 1922, for the purpose of authorizing the Mayor and Treasurer of the said Town of Grimsby to execute the said debentures in lieu of the Reeve and Treasurer of the said Village of Grimsby, which said by-law is more fully set out in Schedule "E" hereto; And that the said by-laws have been acted upon and it is desirable to ratify and confirm them; And whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-laws and  
agreements  
confirmed.

**1.** By-law number 487 of the Village of Grimsby, as amended by by-laws numbers 533 and 534 of the Town of Grimsby, as set forth in Schedules B, D and E to this Act, and the agreements set forth in Schedules A and C to this Act are hereby confirmed and declared to be legal, valid and binding upon the Corporation of the Town of Grimsby and the ratepayers thereof, and all parties to the said agreements.

Debentures  
confirmed.

**2.** All debentures issued or to be issued under the said by-laws and substantially complying with the provisions thereof are hereby declared to be legal, valid and binding upon the said Corporation and the ratepayers thereof, and it shall not be necessary for the purchaser of any such debentures to enquire into the proceedings relating to the passing of the said by-laws or the issue of the said debentures.

Special  
rates.

**3.** The Municipal Council of the said Corporation shall levy in any year during the currency of such debentures in which the said Company makes default in payment of any of the instalments payable by it or any part thereof, or in the following year, in addition to all other rates, a special rate sufficient to produce and pay the amount of such default, and may, if necessary for such purpose, impose a rate in excess of twenty-five mills on the dollar of the total revised assessment of the said Town.

## SCHEDULE "A."

Memorandum of Agreement made (in triplicate) this fifteenth day of September, 1921.

Between:

The Municipal Corporation of the Town of Grimsby,  
of the first part,  
and

The Baymac Tire & Rubber Company, Limited, an  
incorporated Company, having its head office at the  
Town of Grimsby, in the County of Lincoln,  
of the second part.

Witnesseth that whereas the parties of the second part have agreed to purchase certain property in the Village of Grimsby, and have established and are erecting thereon a factory for the manufacture of auto tires, rubber goods and accessories, in the said Village of Grimsby, and the said Municipal Corporation have agreed to loan to the said Company, to assist them in the said undertaking the sum of fifteen thousand dollars for fifteen years, with interest at the rate of six per cent. per annum, provided a by-law of the said Corporation be assented to by the duly qualified electors.

Now therefore, in consideration of the premises, the parties hereto hereby agree to and with each other in the manner following:—

1. The parties of the second part agree to purchase certain property now under optional agreement from The Consumers Box & Lumber Company, Limited, situate on the easterly side of Oak Street in the said Village of Grimsby, being a property formerly occupied by The Consumers Box & Lumber Company, Limited, and establish on the said premises within the limits of the said Municipality a modern first-class factory, fully equipped with all necessary plant and machinery for the purpose of manufacturing auto tires, rubber goods and accessories, and to continually and properly maintain and operate the same at the Village of Grimsby during the period of said loan.

2. In consideration whereof, the said Municipal Corporation agrees to pay to the said parties of the second part, as soon as said industry shall be in operation, the sum of fifteen thousand dollars as a loan to be repaid as hereinafter provided.

3. The parties of the second part agree that their building, plant and equipment, when completed, will be worth at least the sum of thirty thousand dollars.

4. It is agreed that the plant and machinery used in the operation of the said industry to the extent of ten thousand dollars, shall not until after the repayment of said loan be sold or removed without the consent of the said Municipal Corporation.

5. It is agreed that the said parties of the second part shall employ not less than thirty-five men for two hundred days of nine hours each during the period of said loan, and in case of default in any year of the said period, shall pay to the said Corporation the full amount of municipal taxes for which their property might be liable in the said year, notwithstanding the provisions hereinafter contained for a fixed assessment on the said plant and machinery.

6. It is agreed that to repay the said loan the said parties of the second part shall pay to the said Corporation as principal and interest the exact amount required to be raised in each year by special rate for the repayment of the said debentures on or before the first day of October in each

year, commencing with the first day of October, 1922, all payments, whether of principal or interest in arrear, to bear interest at six per cent. per annum, provided that the said parties of the second part may repay the whole amount of the said loan at any time by paying such a sum of money at the time of such repayment as would with interest at the rate of six per cent. per annum be sufficient to retire all of the said debentures still remaining due and unpaid at the time of such repayment as the same fall due.

7. It is agreed that to secure the Corporation in respect of the said loan, the parties of the second part shall give to the said Corporation a first mortgage in the sum of fifteen thousand dollars on the property, plant and machinery owned by the said Company, it being understood and agreed that ten thousand dollars worth of the machinery shall be considered a collateral security for the said loan.

8. It is agreed that the said parties of the second part shall insure and keep the premises insured to the full amount of the mortgage for the benefit of the Corporation, which may be reduced from year to year as the payments aforementioned have been duly made.

9. The parties of the second part further agree to pay all the taxes and water rates as assessed against the property, the parties of the first part agreeing to fix the assessment at the sum of five thousand dollars per annum during the currency of the said loan, and not to exceed in any case a period of fifteen years, such fixed assessment not to apply to rates levied for school purposes.

10. It is further agreed that the members of the Company who move to Grimsby shall reside within the Municipality.

11. It is further agreed that all employees of the said Company are to be paid by the said Company in cash and such payments are to be made at the said Village of Grimsby. It is further agreed that, during the currency of this loan, the pay-roll and books of the said Company shall be open for inspection by the proper officers of the said Municipal Corporation at any time.

12. It is agreed that if the parties of the second part shall at any time during the said period of fifteen years become bankrupt or insolvent, the amount of unpaid loan shall immediately become due and payable to the said Corporation, and the said Corporation shall be entitled to a lien or charge on the said buildings, plant and machinery as specified in this agreement for the said amount, and shall have the right to immediately enter and hold possession thereof until the amount is paid, or to sell and dispose of the said buildings, plant and machinery in order to realize the said amount which may be due.

In witness whereof the Reeve and Clerk of the said Municipal Corporation have hereunto set their hands and affixed the Corporate seal, and the President and Secretary of the said Company have hereunto set their hands and affixed the Corporate Seal of the said Company.

Signed, sealed and delivered  
in the presence of:

*Reeve.*

*Clerk.*

## SCHEDULE "B."

## By-Law No. 487

## OF THE VILLAGE OF GRIMSBY.

Being a by-law to raise by way of debentures the sum of fifteen thousand dollars, to grant the same by way of loan to the Baymac Tire & Rubber Company, Limited, of Grimsby, Ontario, to aid them in establishing, enlarging and carrying on the manufacture of auto tires, rubber goods and accessories in the Village of Grimsby;

Whereas the said Company have made application to the Council of the Corporation of the Village of Grimsby for assistance by way of a loan of money for the purpose of enabling them to establish and enlarge their industry in the said Village;

And whereas the said Corporation have agreed to make the said loan upon certain terms and conditions set forth in an agreement between the said parties;

And whereas the said Company have agreed to repay the loan by equal instalments of principal and interest during fifteen years, with interest at six per cent. per annum, payable annually;

And whereas the Company further agree to employ not less than thirty-five hands, for two hundred days of nine hours each during each year for a period of fifteen years; to keep the property insured for the full amount of the mortgage; to pay all taxes levied for school purposes and water rates assessed against their property and to agree to a fixed assessment of \$5,000 per year for fifteen years for purposes of other taxation, and to maintain the business in Grimsby during the life of the loan, that is fifteen years;

And whereas it is necessary in order to make the said loan to borrow the sum of fifteen thousand dollars, and to issue debentures of the said Corporation therefor;

And whereas the whole rateable property of the Village of Grimsby, according to the last revised assessment roll, is \$1,045,920;

And whereas the existing debenture debt of the Village amounts to \$137,139.87, exclusive of local improvements debts secured by local special rates and assessments and no principal or interest is in arrear;

And whereas it will require the sum of \$1,544.44 to be raised annually for a period of fifteen years to pay the interest of and discharge the said debt as the same becomes due;

And whereas it would be a public benefit to the ratepayers of the Corporation to have in operation an industry such as said Company propose to establish;

Therefore the Municipal Council of the Corporation of the Village of Grimsby enacts as follows:—

That it shall be lawful for the Reeve of the Village of Grimsby to cause to be raised by way of loan from any person or persons, body or bodies corporate, who may be willing to advance the same upon the credit of the debentures hereinafter mentioned, a sum of money not exceeding on the whole \$15,000, and cause the same to be paid into the hands of the Treasurer of the Village of Grimsby for the purpose aforesaid. It shall be lawful for the said Reeve to cause the debentures necessary for the sum required to be made of not less than \$100 and not exceeding on the whole \$15,000, said debentures to be sealed with the Corporate Seal of the said Village and signed by the Reeve and Treasurer thereof, bearing interest at the rate of six per cent. per annum and having interest coupons attached

thereto. The interest shall be payable annually on the first day of October in each year during the currency of the said debentures, the first payment of interest to become due on the first day of October, 1923.

The said debentures may bear any date within one year after the day of which this by-law is passed, and shall be payable in fifteen annual instalments during the fifteen years next after the first day of October, 1921, and the respective amounts of principal and interest payable in each of said years shall be as follows:—

#### SCHEDULE.

<i>Year</i>	<i>Interest</i>	<i>Principal</i>	<i>Annual Payment</i>
1.	\$900 00	\$644 44	\$1,544 44
2.	859 33	685 11	1,544 44
3.	820 34	724 10	1,544 44
4.	776 91	767 53	1,544 44
5.	730 95	813 49	1,544 44
6.	682 03	862 41	1,544 44
7.	630 29	914 15	1,544 44
8.	575 44	969 00	1,544 44
9.	518 30	1,026 14	1,544 44
10.	455 67	1,088 77	1,544 44
11.	390 14	1,154 30	1,544 44
12.	320 10	1,222 34	1,544 44
13.	247 80	1,296 64	1,544 44
14.	169 90	1,374 54	1,544 44
15.	87 40	1,457 04	1,544 44
			<hr/>
			\$15,000 00

That the said debentures shall be made payable at the office of the Treasurer, Grimsby, and shall be signed by the Reeve and Treasurer of the Corporation and shall be sealed with the Corporate Seal. The interest coupons attached to the said debentures shall be signed by the Treasurer of the said Corporation, and his signature may be printed, stamped, lithographed or engraved.

That for the purpose of paying the said debentures and interest, a special rate sufficient for the purpose shall in addition to all other rates be assessed, levied and collected in each year on all the rateable property of the Municipality, if necessary, during the continuance of said debentures, or any of them except said debentures shall be sooner paid.

That this by-law shall come in force and have effect from and after the final passing thereof by the Council.

Read a first and second time at a meeting of the Council held on the 19th day of September, 1921.

Passed in Council this 31st day of October, 1921.

W. F. RANDALL,  
*Village Clerk.*

H. H. MARSH,  
*Reeve.*



## SCHEDULE "C."

This agreement made in duplicate this 11th day of October, A.D. 1922.

Between:

The Corporation of the Town of Grimsby, hereinafter called  
"the Town,"

Of the first part,

and

The Baymac Tire & Rubber Company, Limited, hereinafter  
called "the Company,"

Of the second part.

Whereas by an Agreement between the parties hereto, dated the 15th day of September, A.D. 1921, it was among other things provided that the Town should fix the assessment of the property of the Baymac Tire & Rubber Company, Limited, in Grimsby at five thousand dollars during the currency of the loan, not to exceed in any case a period of fifteen years but same not to apply to school rates.

And whereas it has been agreed between the parties hereto that the limit of said period of fixed assessment shall be reduced from fifteen years to ten years.

Now this Indenture witnesseth that limit of the said period of fixed assessment shall be reduced from fifteen years to ten years and that the said agreement be and the same is hereby amended by striking out the word "fifteen" and inserting the word "ten" in the fifth line of paragraph number "9" in the agreement dated 15th September, 1921, hereinbefore mentioned.

In witness whereof the Town has affixed its Corporate Seal under the hands of the Mayor and Clerk and the Seal of the Company is hereto affixed under the hands of its President and Secretary.

BAYMAC TIRE & RUBBER CO., LIMITED,

Witness:

HUGH KELSON.  
FREDA C. RANDALL.

W. B. VANDYKE, *President*.  
R. C. VANDYKE, *Sec. Treas.*

CORPORATION OF TOWN OF GRIMSBY,  
CHAS. T. FARRELL, *Mayor*.  
W. F. RANDALL, *Treasurer*.

## SCHEDULE "D."

By-Law No. 533

Of the Town of Grimsby to authorize the Corporation to enter into an Agreement with Baymac Tire & Rubber Company, Limited, to reduce the limit of the term of fixed assessment from fifteen years to ten years.

Whereas by an Agreement dated 15th September, 1921, entered into between the Corporation of the Town of Grimsby and Baymac Tire & Rubber Company, Limited, it was provided that the Corporation of the Town of Grimsby fix the assessment of the Company's property at the sum of five thousand dollars during the currency of the loan, not to exceed in any case fifteen years, and the Company has agreed that the said agreement be amended by reducing the limit of the said fixed assessment from fifteen years to ten years.

Now therefore, the Council of the Corporation of the Town of Grimsby, pursuant to the powers conferred on it by law, enacts as follows:

That this Corporation do enter into an agreement with Baymac Tire & Rubber Company, Limited, to amend the said Agreement reducing the limit of the period for said fixed assessment from fifteen years to ten years by striking out the word "fifteen" and inserting therein the word "ten" in the fifth line of paragraph number "9" of the said first mentioned Agreement, and that the said new agreement be signed by the Mayor and Clerk and the seal of this Corporation be affixed thereto.

Passed this 11th day of October, 1922.

CHAS. T. FARRELL,  
*Mayor.*

W. F. RANDALL,  
*Clerk.*

[SEAL]

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#### SCHEDULE "E."

##### By-Law No. 534

Of the Town of Grimsby to authorize the Mayor to sign debentures to be issued under By-Law No. 487 of the Village of Grimsby.

Whereas under By-Law No. 487 of the Village of Grimsby, it is provided that the debentures shall be signed by the Reeve and Treasurer of the Corporation and it is deemed expedient to authorize the said debentures to be signed by the Mayor of the Town of Grimsby, and the Treasurer.

Now therefore, the Council of the Corporation of the Town of Grimsby pursuant to the powers conferred on it by law, enacts as follows:

That the debentures to be issued under the said By-Law No. 487 shall be signed by the Mayor and Treasurer of the Corporation.

This By-Law shall come into force from and after the passing thereof.

Passed this 11th day of October, 1922.

CHAS. T. FARRELL,  
*Mayor.\**

W. F. RANDALL,  
*Clerk.*

[SEAL]



4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of Grimsby  
and Baymac Tire & Rubber Company,  
Limited.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. MARSHALL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to simplify the Sales of Property held in  
Trust for the Church of England in Canada  
in the Diocese of Niagara.

**W**HEREAS the Synod of the Diocese of Niagara have by Preamble  
their petition represented that property held in trust  
for the benefit of churches, parishes, missions or congregations  
of the Church of England or Church of England in Canada  
or United Church of England and Ireland in the said Diocese  
has been conveyed to or otherwise vested in various corpora-  
tions, trustees or individuals; and that difficulties have been  
experienced in disposing of the same, owing to a want of  
uniformity of procedure for the sale and conveyance of such  
property; and, whereas the said Synod have prayed that an  
Act may be passed for the several purposes hereinafter set  
forth; and whereas it is expedient to grant the prayer of the  
said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** Any lands or personalty, which now are or shall be vested Synod and persons may  
sell land and  
personalty  
vested in  
them on  
certain  
trusts  
in (1) the Synod of the Diocese of Niagara, (2) the Bishop of  
Niagara either by his individual name or official title, and  
either separately or jointly with others, (3) the rector, or in-  
cumbent, or parson, or missionary, of the rectory, church,  
parish or mission, either by his individual name or official  
title, and either separately or jointly with the church wardens  
of such rectory, church, parish, or mission or with trustees or  
others, (4) the church wardens of the parish, church, rectory  
or mission, either by their individual names or corporate  
title, or (5) certain persons named as trustees for the church,  
rectory, parish, mission, congregation or living, or for the  
rector, parson, incumbent or missionary, or (6) held by or  
vested in any other corporation, person or persons under any  
other title, trust or designation, either jointly, severally or

otherwise, in trust for the general or special use or benefit of the members of the Church of England or Church of England in Canada or United Church of England and Ireland in the said Diocese of Niagara, or for or in connection with any church, rectory, parish, mission, congregation, locality or living in the said Diocese, or in trust for the use, benefit or endowment of any church, parish, mission, living or rectory, or for the use, benefit, support or endowment of any parson, incumbent, missionary or rector, or in trust for a parsonage school or any other object or purpose or use in connection with any such church, parish, mission, congregation, locality, living or rectory; may, notwithstanding anything in the deed or conveyance under which the same is vested or held, other than is provided in section 6 of this Act, be sold, aliened and conveyed by the said Synod, bishop, corporation, trustee or trustees, church wardens, rector, incumbent, missionary or official or other persons, or individuals, or the successors or heirs of any of the aforesaid in whom the title of such lands or personalty is then held or vested in trust as aforesaid.

Consent of  
vestries in  
certain cases.

**2.** No sale of such lands or personalty shall be made unless the vestry or vestries having the right to appropriate or dispose of the rents, issues, profits or income thereof do, by a resolution passed for that purpose, authorize and consent to the sale of the same, nor unless such sale is approved of by the said Synod of the said Diocese of Niagara; and, if there be no vestry in existence, or no vestry having the right to appropriate or dispose of the rents, issues, profits or income of the said lands or personalty, the said Synod may consent to and approve of the said sale, and all proper and necessary parties shall join in conveying the same to the purchaser thereof.

Disposition  
of proceeds.

**3.** The proceeds of such sale shall be paid to the said Synod, which shall hold the same under the same trusts, uses, endowments or purposes as those for which the said lands or personalty were given and held as aforesaid, and may invest or apply the same for the benefit of the said trust, use, endowment or purpose; or, if desired by the vestry, having the right as described in section 2, and approved of by the said Synod, in the purchase of other lands or personalty for the said trust, use, endowment or purpose, as may be approved of by the said Synod; or in case of a change of circumstances, it becomes impossible or inadvisable to carry out the original trust, use, endowment or purpose, such proceeds may, if so desired by the said vestry, having the right as prescribed in section 2, be applied for other church purposes for the benefit of the church, parish, mission or congregation on whose

behalf the said trust, use, endowment or purpose was created, with the consent of any person or persons having a pecuniary or life interest in such trust property for the time being; provided that the consent and approval of the Synod to the appropriation of such proceeds to such other church purposes shall have been first obtained, and, if there be no vestry in existence, or no vestry having the right as in section 2 described, the said Synod may determine the other church purposes to which such proceeds may be applied.

**4.** The term "sale" in this Act shall include an exchange, and the persons, trustees, officials and corporations authorized to sell, alien and convey lands and personalty as aforesaid, may subject to the conditions in section 2 of this Act, exchange the said lands or personalty for other lands or personalty, and shall acquire, hold and possess such exchanged lands or personalty under the same trusts, uses, endowments and for the same purposes as those for which the original lands or personalty were given and held as aforesaid; or in trust for other church purposes as provided in section 3 of this Act, and subject to the conditions therein prescribed.

**5.** The said Synod may exercise the powers conferred upon it by this Act by and through such boards or committees thereof as the said Synod may from time to time appoint by resolution, by-law or by-laws, and the Act, consent or approval by the said Synod or the Board or Committee thereof under this Act shall be exercised by resolution and the said resolution or resolutions, by-law or by-laws attested by the seal of the said Synod, and the execution of the deed by the Bishop of Niagara as president of the said Synod, and by the honorary secretaries of the Synod or a memorandum of consent endorsed on said deed and signed by them and attested by the seal of the said Synod shall in favour of the purchaser and his heirs and assigns, be conclusive evidence of the said act, deed, consent or approval of the said Synod under the powers conferred upon it by this Act.

**6.** Nothing in this Act shall alter or affect any condition or provision for a resulting trust in favour of any grantor of any such lands, his heirs or assigns, which may be contained in any deed conveying such lands in trust as aforesaid to any of the parties named in section 1 of this Act, or which may otherwise arise in respect of said lands.

**7.** All Acts or parts of Acts relating to the sales of lands or personalty held in trust for the Church of England in Canada in the said Diocese of Niagara inconsistent with this Act are hereby repealed.

No. 11.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act to simplify the Sales of Property  
held in Trust for the Church of England  
in Canada in the Diocese of Niagara.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. CROCKETT,

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act respecting the Township of Etobicoke.

**W**HEREAS the Corporation of the Township of Etobicoke has by its petition represented that the Township of Etobicoke is a township adjoining the Corporations of the City of Toronto, the Town of Mimico and the Town of New Toronto and that its population is rapidly increasing in those portions of the township adjoining the said urban municipalities, and that (a) by reason of such districts becoming thickly populated it is necessary that certain powers should be conferred upon the Corporation for the purpose of enabling the Corporation to instal water and sewage systems in defined areas; (b) to extend to the Corporation powers to pass by-laws under certain sections of *The Consolidated Municipal Act, 1922*; (c) that a by-law for the installation of Hydro-Electric equipment, and for the issue of debentures therefor should be ratified; (d) that certain agreements entered into between the Corporation and the Municipal Corporations of New Toronto and Mimico should be ratified; (e) that the Corporation and the Corporations of the Towns of New Toronto and Mimico should be authorized to enter into certain agreements for the supply of water to the township; (f) that a by-law of the township authorizing the erection of certain bridges and breakwaters and for the issue of debentures therefor should be ratified; (g) that all tax sales and tax deeds made prior to the thirty-first of December, 1921, should be validated and confirmed; (h) that power should be given to the said Corporation to acquire land as sites for and to erect fire halls, and to purchase fire appliances for the benefit of defined areas, and to levy the cost thereof by a special rate on the rateable property in such sections or areas; and whereas the said Municipal Corporation has by its petition shown that certain powers with reference to the construction of waterworks in defined areas, the removal of ashes and the licensing and registration of dogs were conferred upon it and the Municipal Corporation of the Township of Scarborough by an Act passed in the eighth year of the Reign of His Majesty King George the Fifth, chaptered 81; and whereas it is desirable that the said Act should be repealed, and the

said powers should be conferred upon the Township of Etobicoke separately.

Therefore, His Majesty by and with the advice of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.      **1.** This Act may be cited as *The Township of Etobicoke Act, 1923*.

Authority to pass by-laws.      **2.** The Municipal Council of the Corporation of the Township of Etobicoke may pass by-laws:

Construction water-works in defined areas.      (1) To acquire, construct, extend, maintain and operate a system or systems of waterworks, including the laying of mains and other appliances to connect with any existing system of water works, whether owned by the Corporation, or by any other corporation or person, for the benefit of any defined sections or areas of the municipality which may from time to time be described in a petition to, or designated by, the council.

Levy of costs.      (2) To provide in any such by-law that the whole cost of acquiring, constructing or extending any work undertaken pursuant to the powers given by this Act shall be charged and levied upon and from all the real property in any such defined sections or areas, and that such cost shall include, in addition to the ordinary cost of construction, the cost of all connections, mains, hydrants, stop cocks, fittings and appliances of every kind whatsoever, and including those parts of the work situate at street intersections in connection with the system, as well as any claim for damages arising out of, or incidental to, the acquiring, construction or maintenance of said works.

Branch water mains, service pipes.      (3) To provide for the construction and installation of branch water mains, service pipes, stop cocks and appliances, and all other necessary works, appliances and apparatus, upon any street within any such defined sections or areas, the whole cost thereof to be specially assessed against the lands served by such branch mains, and no portion of the cost against the municipality at large. 8 Geo. V, c. 81, s. 1 (1-3).

Where main used as trunk main.      (4) To provide that notwithstanding anything contained herein, where a main or water pipe is used both as a trunk main and a distributing main, such part of the cost of construction thereof, including any claim for compensation or for damages arising out of or incidental to the same, as the Council of the Municipal Corporation of the Township of Etobicoke may determine shall be raised as provided in sub-

section 2, as to works performed under subsection 1 of this section, and the balance therefor as provided in subsection 3, for works designated in subsection 3 of this section, or as a local improvement. The provisions of this sub-section shall apply to any by-laws heretofore passed by the township under section 1 of the Act passed in the Eighth year of the Reign of His Majesty King George the Fifth, chaptered 81.

(5) To enlarge or extend from time to time any defined section or area of the municipality by adding thereto such portion or portions of the said municipality as may be described in a petition to or designated by council; to amalgamate any two or more defined sections or areas or parts thereof, and to provide that the cost of acquiring, constructing or extending any works or undertaking pursuant to the power given by this Act shall be levied upon and from all the real property in such area as so enlarged or amalgamated.

(6) The putting down of water mains, service pipes, hydrants, stop cocks, or other appliances by the said Corporation on any streets laid out on a registered plan or on land used as a highway and the assessing of the cost of such water mains, service pipes, hydrants, stop cocks or other appliances against the lands fronting and abutting thereon, and the collection of rates therefor, shall not be deemed an assumption of the said streets or lands as highways of the municipality.

**3.** The council of the said municipality may pass by-laws to borrow, on the credit of the corporation at large, from time to time, the money necessary for carrying out the works designated in section 2, and may issue debentures to the requisite amount, payable within thirty years from their issue, in respect to the works designated in subsections 1 and 2 of section 2, and within twenty years, in respect to the work designated in subsection 3 of section 2, and shall levy such sums as may be requisite for the purpose of paying the debentures and interest by annual special rates on the dollar, according to the revised assessment roll from year to year, upon all the real property liable therefor contained in any such sections or areas.

**4.** The council of the municipality may carry on, maintain and operate any such system of waterworks, and levy and collect the whole cost of and incidental thereto upon and from the real property contained in any such defined sections or areas, by a special rate or rates on the dollar, according to its assessed value, and for the purposes aforesaid the corporation shall have and possess, *mutatis mutandis* all the powers given to municipal corporations in respect to municipal

Rev. stat.  
1914, c.  
204.

waterworks in Parts I and IV of *The Public Utilities Act*, and any amendments thereto which may hereafter be passed.

Surplus  
revenue.

5. The surplus revenues arising from the carrying on, maintenance and operation of any such system, after providing for the expense thereof, in any year, shall form part of the funds for the carrying on, maintenance and operation of the said system for the following year or years, but the council may, nevertheless, in any one year, apportion such part of said surplus revenues as they may consider advisable towards the payment of the debentures or interest thereon issued in respect to the main system of waterworks falling due in such year, when the special rate to be levied for payment of the debentures and interest falling due in such year shall be reduced accordingly.

Charging of  
losses  
against  
property.

6. All loss in connection with, or any excess of expense over and above the revenue received in respect to carrying on, maintaining and operating any such water system, and all claims for damages arising in respect or incidental thereto, in any year, shall be charged against the real property contained in any such sections or areas, and shall be levied and collected therefrom by a special rate or rates on the dollar according to its assessed value, in the same manner as other taxes are levied, provided that any surplus revenue which may be on hand from any previous year or years shall be applied to any such loss or damages before any such special rate is levied.

Procedure  
Rev. Stat.  
c. 193.

7. The form of procedure for undertaking any work authorized by this Act shall be that prescribed in sections 8 to 18a of *The Local Improvement Act*, and any amendments thereto which may hereafter be passed, and section 40, sub sections 1 and 2 and sections 43, 44 and 47, and sections 53 to 55 of *The Local Improvement Act*, and any amendments thereto which may hereafter be passed, shall, *mutatis mutandis*, apply to any by-law passed, pursuant to this Act, and it shall not be necessary to submit, for the assent of the electors, any such by-law, but no by-law setting apart any defined area and providing for the construction of the trunk mains, and the operation of the system in such area, shall be finally passed by the council until a certificate shall have been obtained from the Ontario Railway and Municipal Board approving of such by-law, and every by-law, when the same has been approved by the Ontario Railway and Municipal Board, and the debentures which may be issued in substantial conformity with its provisions, shall be valid and binding upon the corporation and upon the lands liable for the rate imposed, by, or under the authority of, the by-law, and the validity of the by-law and every debenture issued pursuant to the same shall not thereafter be open to question in any court.

**8.** The provisions of section 296 of *The Consolidated Municipal Act, 1922*, and any amendments thereto which may hereafter be passed, in respect to the registration and validity of local improvement by-laws, shall apply to any by-law passed pursuant to this Act, providing for the construction and installation of branch water mains.

**9.** The said corporation may, but shall not be obliged to, supply water for the use of persons or institutions not within any such sections or areas.

**10.** The council of the township may from time to time pass by-laws providing for the collection, removal and disposal by the corporation of ashes, garbage and other refuse throughout the municipality, or any defined areas of it, as set apart by the council, at the expense of the owners and occupants of the land contained in such defined areas, and for imposing upon such land, according to its assessed value, a special rate on the dollar to defray the expense of such collection, removal and disposal.

**11.** The council of the said township may, from time to time, pass by-laws for licensing, registering, tagging and otherwise controlling dogs, and imposing such fees therefor as the council may see fit on the owners, possessors or harbourers of them, with the right to impose a larger tax in case of bitches, or for each additional dog or bitch where more than one is owned, possessed or harboured by any one person, or in any one household, but the tax imposed under any such by-law shall not be less than is provided in *The Dog Tax and Sheep Protection Act*, or any amendments thereto which may hereafter be passed, and while any such by-law is in force sections 3 to 7 of *The Dog Tax and Sheep Protection Act* shall not apply to the municipality passing the same, and it shall not be necessary to enter any particulars as to dog taxes in the collector's roll, but the moneys collected shall be applied in all respects the same as if they had been collected and paid to the municipality under said sections 3 to 7 of the said Act. 8 Geo. V, c. 81, s. 2-10.

**12.** The agreement made between the Corporation of the Town of New Toronto and the Corporation of the Township of Etobicoke, dated the nineteenth day of August, A.D. 1922, set out in schedule "A" hereto and all acts done thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto.

New  
Toronto,  
Mimico and  
Etobicoke  
may enter  
into agree-  
ment respect-  
ing water  
mains.

**13.** Notwithstanding anything contained in any Act of this Legislature, the Municipal Corporation of the Town of New Toronto and the Municipal Corporation of the Town of Mimico may supply water upon such terms and for such term of years as may be agreed upon to the Municipal Corporation of the Township of Etobicoke, and may exercise all other powers necessary for carrying out any agreement for that purpose, and may also permit the Municipal Corporation of the Township of Etobicoke to extend any water main in and through and to connect with any existing water main in the Municipality of the Town of New Toronto or the Municipality of the Town of Mimico, upon such terms and conditions as may be agreed upon and the said corporations are hereby empowered to enter into agreements from time to time for such purposes.

By-law No.  
1356,  
Etobicoke,  
confirmed.

**14.** By-law number 1356 of the Municipal Corporation of the Township of Etobicoke passed on the sixth day of March, 1922, entitled "A by-law for borrowing \$30,000 for equipment and extension to the Hydro-Electric System of the Township of Etobicoke," set out in schedule "B" hereto is hereby ratified and confirmed, and declared to be legal, valid and binding upon the Municipal Corporation of the Township of Etobicoke and the ratepayers thereof, according to the true meaning and intent thereof.

By-law No.  
1351,  
Etobicoke,  
confirmed.

**15.** By-law number 1351 of the Municipal Corporation of the Township of Etobicoke passed on the ninth day of January, 1922, entitled "A by-law to provide for borrowing Twenty Thousand Dollars (\$20,000) upon debentures to pay part of the corporation's portion of the cost of the Agar Bridge, the Anderson Bridge, the Thistletown Breakwater, the Long Branch Bridge, the Kingsberry Avenue Culvert, the Daisy Avenue Culvert and the Hay Avenue Culvert, all situated and being within the Township of Etobicoke," set out in schedule "C" hereto is hereby ratified and confirmed and declared to be legal, valid and binding upon the Municipal Corporation of the Township of Etobicoke and the ratepayers thereof.

Authority  
to pass  
by-laws.

**16.**—(1) The Council of the Corporation of the Township of Etobicoke may pass by-laws:—

Sewers.

- (a) To construct, operate and maintain sewers, a sewerage system and sewage disposal works in any defined section or area of the township as may be described in a petition to or designated by the council.

- (b) To provide that the whole cost of the construction of sewage disposal works shall be raised by a special rate on all the real property in such defined section or area and shall not be borne by the corporation at large notwithstanding anything in any Act of this Legislature. Cost.
- (c) To provide that such part of the cost of the construction of sewers or sewerage systems as shall be determined by a vote of three-fourths of all the members of the council shall be raised by a certain sum per foot frontage specially assessed upon the land abutting directly on the work as a local improvement under and pursuant to the provisions of *The Local Improvement Act*, and that the remainder of the cost of such sewers or sewerage system and the cost of maintenance thereof shall be raised by a special rate on all the real property in such defined section or area and shall not be borne by the corporation at large and that the amount of reduction provided by section 24 and the amount of exemption provided for by section 48 of *The Local Improvement Act* shall not be chargeable upon the land liable to be specially assessed, but shall be levied by a special rate on all the real property in such defined section or area. Special distribution varying provisions of Rev. Stat. c. 193.
- (d) To enlarge and extend from time to time any defined section or area of the municipality by adding thereto such portion or portions of the said municipality as may be described in a petition to or designated by council; to amalgamate any two or more defined sections or areas or parts thereof, and to provide that the cost of acquiring, constructing and extending any works or undertaking pursuant to the powers given by this Act shall be levied upon and from the real property in such area as so enlarged or amalgamated. Costs where used both as trunk and service sewers.

(2) The said corporation may from time to time borrow on the credit of the corporation at large as the work proceeds such sums of money as may be necessary to defray the owners' portion of the cost, as defined by *The Local Improvement Act*, of any sewer or sewerage system and issue debentures for the sum so borrowed for such purpose to be payable within the lifetime of the work. Authority to borrow money on credit of corporation at large during progress work

Borrowing  
to pay  
balance  
cost.

(3) The said corporation may also from time to time borrow on the credit of the corporation as the work proceeds such sums of money as may be necessary to defray the remainder of the cost of sewers or sewerage system after deducting the amounts to be raised under subsection 2, but including sewage disposal works, if any, and to issue debentures for the sums so borrowed payable in a period not exceeding forty years.

Adjustment  
of payment  
over first  
ten years.

(4) The council of the said corporation may pass by-laws providing that in respect of money borrowed under subsection 3 the instalments of principal and interest repayable in the first ten years of the lifetime of the debentures issued therefor shall be equal to payments which would be necessary if the debentures were payable in sixty years; and that during the remainder of the lifetime of the said debentures the yearly payments of principal and interest shall be as nearly equal as possible.

Tax Sales  
and deeds  
prior to 31st  
Dec., 1921,  
confirmed.

**17.**—(1) All sales of land within the Township of Etobicoke made prior to the thirty-first day of December, 1921, which purport to have been made by the corporation of the said township for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation are hereby validated and confirmed and all deeds of lands so sold executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns are hereby validated and confirmed, and shall have power of vesting the lands so sold or conveyed or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his, her or their assigns in fee simple, free and clear of and from all title or interest whatsoever, of the owner or owners thereof at the time of such sale or his, her or their assigns, and all charges or encumbrances thereon and dower therein, except taxes accrued since those for which payment whereof the said lands were sold.

Application  
of subsection  
1 to  
purchases  
by corporation.

(2) Subsection 1 of this section shall extend and apply to cases where the said township or any person or persons in trust for it, or on its behalf became the purchaser of lands at any such tax sale.

Section not  
to affect  
pending  
litigation.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.



**18.** The council of the Municipal Corporation of the Township of Etobicoke may pass by-laws for the following purposes:—

- (1) For inspecting public bathing-houses and boat-houses or premises wholly or partly used for boat-house purposes; and for prohibiting their use for illegal or immoral purposes. Inspection of bath and boat houses.
- (2) For regulating the size and strength of brick, stone, cement and concrete walls, and of the beams, joists, rafters, roofs and their supports of all buildings to be erected, altered or repaired, and for requiring the production of the plans of all buildings and for charging fees for the inspection and approval of such plans, and fixing the amount of the fees. Regulating strength of buildings, inspection of plans; fees.
- (3) For regulating the removing or wrecking of buildings and the spraying thereof during such work so as to prevent dust or rubbish arising therefrom. Regulating wrecking of buildings.
- (4) For regulating and governing the use of any building for purposes for which it may be structurally unsuited, or which from the size or strength of its walls, supports or floors may render the same dangerous and for requiring the owner or occupant to obtain a permit from the architect or other municipal officer named in the by-law before putting any building to such use. Regulating use of building for purposes not structurally suited.
- (5) For requiring to be deposited with an officer named in the by-law, before the erection of a building is commenced, a ground or block plan of the building, with the levels of the cellars and basements, with reference to a line fixed by by-law. Filing of plans.
- (6) For prohibiting children from riding on the platforms of cars, or riding behind or getting on wagons, sleighs or other vehicles while in motion, and for preventing accidents arising from such cases. Prohibiting children riding behind vehicles.
- (7) For providing that the reels, engines and vehicles of the fire department shall have the right of way on the streets and highways while proceeding to a fire or answering a fire alarm call. Fire Dept. vehicles.
- (8) For appointing fire wardens, fire engineers and firemen and for promoting, establishing and regulating fire, hook-and-ladder, and property-saving companies. Local fire department.

Regulating,  
construction  
of buildings.

- (9) For regulating the construction, alteration or repairs of buildings.

Prohibiting  
erection of  
wooden  
buildings.

- (10) For prohibiting the erection of wooden buildings or wooden additions, and of wooden fences, or the removal of any such buildings or fence from one place to another in defined areas of the municipality.

Prohibiting  
erection of  
certain  
buildings in  
defined  
areas.

- (11) For prohibiting the erection or placing within defined areas of buildings or additions to them with main walls other than of brick, cement, concrete, iron or stone, and roofing of other than incombustible material.

Regulating  
repair of  
roofs or  
external  
walls.

- (12) For regulating the repairing or alteration of roofs or the external walls of existing buildings within such areas, so that the buildings may be as nearly as practicable fire-proof.

Authorizing  
pulling  
down of  
buildings.

- (13) For authorizing the pulling down or removal, at the expense of the owner, of any building or erection constructed, altered, repaired or placed in contravention of the by-law.

Authorizing  
pulling  
down of  
dilapidated  
buildings.

- (14) For authorizing the pulling down or repairing or renewing, at the expense of the owner, of any building, fence, scaffolding or erection, which, by reason of its ruinous or dilapidated state, faulty construction or otherwise is in an unsafe condition as regards danger from fire or risk of accident.

Regulating  
use of fire  
and lights  
in factories.

- (15) For prohibiting or regulating the use of fire or lights in factories, stables, cabinet makers' shops, carpenters' shops, paint shops, dye and cleaning works, and places where their use may cause or promote fire.

Regulating  
hazardous  
trades.

- (16) For prohibiting or regulating the carrying on of manufactures or trades which may be deemed dangerous in causing or spreading fire.

Regulating  
electric  
wiring.

- (17) For regulating and inspecting wires and other apparatus placed or used for the transmission of electricity for any purpose in or along any highway or on or in any building, and for requiring any such wire or other apparatus which is deemed unsafe or dangerous to be removed or repaired at the expense of the person to whom it belongs or who is using it.

- (18) For regulating the construction of chimneys, flues, fireplaces, stoves, ovens, boilers or other apparatus or things which may be dangerous in causing or promoting fire, and for removing at the expense of the owner any of them constructed in contravention of the by-law. Regulating chimneys, boilers, etc.
- (19) For regulating the construction as to dimensions and otherwise, and for enforcing the proper cleaning of chimneys. Regulating construction of chimneys.
- (20) For regulating the mode of removal and safe keeping of ashes. Regulating removal of ashes.
- (21) For regulating and enforcing the erection of party walls. Regulating erection of party walls.
- (22) For requiring the owners and occupants of buildings to have scuttles in the roof, with approaches, or stairs or ladders leading to the roof. Requiring scuttles in roofs.
- (23) For requiring buildings and yards to be put in a safe condition to guard against fire or other dangerous risk or accident. Regulating condition of yards.
- (24) For requiring each inhabitant to provide as many fire buckets, in such manner and at such time as may be prescribed; and for regulating the inspection of them and their use at fires. Fire buckets.
- (25) For authorizing appointed officers to enter at all reasonable times upon any property, in order to ascertain whether the provisions of the by-law are obeyed, and to enforce or carry into effect the same. Inspection of property.
- (26) For suppressing fires, and for pulling down or demolishing buildings or other erections when deemed necessary to prevent the spread of fire. Demolishing buildings.
- (27) For regulating the conduct and enforcing the assistance of persons present, and for the preservation of property at fires. Fires enforcing assistance.
- (28) For making such other regulations for preventing fires and the spread of fires as the council may deem necessary. Regulations for prevention of fires.
- (29) For regulating traffic in the highways and the width of the tires and wheels of all vehicles used for the conveyance of articles of burden, goods, wares or Regulating traffic on highways.

merchandise; and for prohibiting heavy traffic and the use of traction engines and the driving of cattle, sheep, pigs and other animals during the whole or any part of the day or night in certain highways and public places named in the by-law, and for prohibiting traffic in any but one direction in highways which in the opinion of the council are too narrow for the passing of one vehicle by another or in which, in the opinion of the council it is desirable that traffic should be limited to one direction.

Regulating  
sale by  
retail  
adjacent to  
highways.

- (30) For prohibiting or regulating the sale by retail in the highways or on vacant lots adjacent to them of any meat, vegetables, grain, hay, fruit, beverages, smallwares and other articles, and for regulating traffic in and preventing the blocking up of the highways by vehicles or otherwise.

Residential  
streets.

- (31) For declaring any highway or part of a highway to be a residential street, and for prescribing the distance from the line of the street in front of it at which no building on a residential street may be erected or placed.

- (a) It shall not be necessary that the distance shall be the same on all parts of the street.
- (b) The by-law shall not be passed except by a vote of two-thirds of all the members of the council.

Authority  
to pass by-  
laws for  
building  
firehalls.

**19.**—(1) The council of the Corporation of the Township of Etobicoke may pass by-laws for acquiring land and for erecting thereon a community hall and a fire hall or fire halls and for purchasing fire engines and other appliances for fire protection for the use and benefit of any defined section or area of the township and for levying the whole cost thereof by a special rate on all the rateable property in such section or area.

Annual cost  
of  
maintenance.

(2) The annual cost of maintenance and repair of such community hall and fire hall or fire halls and of appointing, insuring and paying men for all services rendered in connection with such fire halls, shall also be met by a special rate on all the rateable property in such section or area.

1918, c. 81  
repealed.

**20.** The Act passed in the Eighth year of the Reign of His Majesty King George the Fifth, chaptered 81, entitled "An Act respecting the Townships of Scarborough and Etobicoke, is, in so far as it applies to the Township of Etobicoke, hereby repealed.

## SCHEDULE "A"

Memorandum of Agreement made this nineteenth day  
of August, A.D. 1922.

Between:

THE NEW TORONTO PUBLIC UTILITIES COMMISSION,  
hereinafter called the "Commission,"

of the first part:

THE MUNICIPALITY OF THE TOWNSHIP OF ETOBICOKE,  
hereinafter called the "Township,"

of the second part:

—and—

THE MUNICIPAL CORPORATION OF THE TOWN OF NEW  
TORONTO,

hereinafter called the "Town,"

of the third part:

Whereas there has been established a water system in the Town of New Toronto, which is under the control and management of the said commission in pursuance to the *Public Utilities Act*, and in pursuance to a by-law passed by the Municipal Council of the said Town of New Toronto with the assent of the municipal electors thereto;

And whereas the Township of Etobicoke has established a water area known as Etobicoke Water Area number 1 (Long Branch), and is desirous of obtaining a supply of water for such area;

And whereas in order to obtain such supply of water, it is necessary to connect the said area with the commission's water system by laying a water main along a portion of Birmingham street within the limits of the Corporation of New Toronto, and each of the parties hereto is desirous of having such main laid for the joint use of the said commission and of the said township.

And whereas the estimated cost of the said main is \$29,000 and it has been agreed that the township shall contribute thereto the sum of \$20,000, and the corporation the sum of \$9,000, or each party shall contribute to the payment of the cost as finally ascertained, in such proportions, that is, the township twenty and the commission nine.

And whereas in order to provide the funds required for the said work, it will be necessary for the township to raise by means of debentures the total cost of the said proposed main, and the commission is to pay to the township a proportionate part of the carrying charges according to the above ratio, as the same respectively fall due.

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. The commission shall supply, and the township shall take and purchase water in bulk for the supply of water for domestic, trade and public and fire purposes for the use, benefit and advantage of the owners and occupants of lands within the said water area number 1 (Long Branch), the limits of which are set out, mentioned and described in the schedule hereto annexed and marked "A", for a term of 30 years, upon the terms and conditions, at the price, and subject to the regulations hereinafter mentioned.

2. The township shall construct and lay a sixteen-inch water main from the commission's existing water main now laid on Birmingham street at a point marked "A" on the plan annexed to this agreement, that is at the intersection of Birmingham street and Sixth street, thence westerly along Birmingham street on a line marked in red on the said plan to the boundary of said water area number 1 at a point marked "B" on the said plan.

3. The said main shall be constructed and laid at such depth and shall be furnished with such valves, tees and crosses, and in such position as may be required by the said commission's engineer, and when constructed and laid shall, during the said term, be maintained in good repair or renewed when necessary; the cost of constructing and laying the said main and the repairing and renewing of the same shall be borne by the parties hereto in the proportion which the respective amounts mentioned in the recital hereto, bears to the total cost, subject as is herein specially provided for. The commission shall make such repairs and renewals, and shall pay for the said maintenance, and the township agrees to pay to the commission on demand, its share of said cost of repairs, renewal, and maintenance, in the same ratio as aforesaid.

4. The said township shall, in connection with the said water area number 1, raise by debentures the total cost of the said main, including the cost of meters, meter-house, and other necessary expenditures in connection therewith, and the commission or the municipal corporation will pay to the township its proportionate share in the same ratio as \$9,000 bears to \$20,000, of said debenture charges. It is, however, understood and agreed that should the commission make payment under the next succeeding paragraph herein in any year, then that no payment shall be made or required under this paragraph during such year.

5. The commission shall, from the date which the said debentures shall bear, pay to the township, one-fifth in each year of the aggregate water bills for the year under this agreement when such aggregate amounts to \$4,000 or more, such payment to the township not to exceed \$2,000 in any one year.

6. The township shall erect and build a meter house at point "B" shown on said annexed plan, being at the eastern boundary of the said water area number 1, or as near thereto as circumstances may permit, and shall fix therein a meter for the purpose of measuring the water supplied by the commission to the township so that all water so supplied shall pass through such water meter before entering the mains and pipes of the township in such water area number 1.

7. The said meter house and meter shall be of such make, quality, description and construction and shall be placed in such position as the engineer of the commission shall require or approve, and shall at all times during the said term be kept in good repair, working order and condition and renewed when necessary by the commission's engineer; the cost of such repair, renewal and maintenance to be paid by the township to the said commission on demand.

8. The said meter shall be tested once or oftener in every year in such manner and by such persons as the commission shall require, and the said meter house and meter shall at all times during the said term be open to the inspection of the township and the commission, and their respective proper officers and servants.

9. The township in laying and constructing the said main on Birmingham street, shall provide for and make the necessary connections between said main and all existing mains on Seventh, Eighth, Ninth, Tenth, Eleventh, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first and Twenty-second streets, in accordance with the requirements of the commission's engineer, it being understood that at Nineteenth street the township shall construct on said main a cross 16 inches by 16 inches by 12 inches by 6 inches, and on all other streets such connections will be made as are required by the engineer and extensions made to the north and south limit of Birmingham street, such extensions to be connected to mains on said streets enumerated in this paragraph, where existing.

10. All the works hereinbefore mentioned shall be completed with as little delay as possible and subject to the approval of the commission's Engineer, and all plans and specifications in connection with the said work between the said points "A" and "B" will be submitted to and be subject

to the approval of the commission's engineer, and such connections shall be made in such manner as shall be directed by, and to the satisfaction of the commission's engineer.

11. From the date when the said connections aforesaid shall be made, the commission shall keep the elevated steel tank now situate within the corporation of the Town of New Toronto, three-quarters full of water, or as continuously thereto as is reasonably possible under existing operating conditions, and the commission will on notice being received by it, or by its proper officers, from authorized officials of the township, provide extra pressure in the said mains to provide a standard fire pressure at the boundary of the said water area number 1.

12. The price of the water to be supplied under this agreement shall be at the rate of fifteen cents (15c.) per every one thousand Imperial gallons supplied by the commission and taken by the township, as shown by such meter measurement, such price to be subject to revision each five years, as is hereinafter provided.

13. The commission shall furnish to the township each month after the said connections are made, an account of the sums due to the commission under these presents in respect of the supply of water for the previous month in accordance with the standard practice of the said commission.

14. The register of the said meter shall be prima facie evidence of the quantity of water supplied by the commission through such meter. In the event of any difference or dispute arising between the parties hereto as to the sufficiency or accuracy, or state of repair, or condition of the said meter, or as to the quantity of water supplied, such difference or dispute shall be referred to and settled by arbitration as hereinafter provided for.

15. In the event of the said meter being found to register erroneously, such erroneous registration shall be deemed to have arisen in the then next preceding month unless it is proved to have arisen during the then current month; the amount of the allowance to be made to, or of the surcharge to be made upon the township by the commission, shall be allowed or paid to or by the township, as the case may be forthwith.

16. If, at any time, the said meter shall cease to register, or shall at any time be removed for the purpose of repair, renewal or any other purpose, then until the said meter shall be repaired or replaced so as to register correctly the quantity of water passing through it, the commission shall be entitled to charge, and the township shall be liable to pay for a daily quantity of water equal to the average daily quantity of water for which the township shall have paid or been liable to pay in respect to the previous three months under the terms of this agreement.

17. It shall be lawful for the township, at any time after the expiration of ten years from the date of this agreement, to terminate this agreement upon giving notice to the commission not less than 12 months previously in writing, and upon the expiration of such notice, the liability of the commission to supply water, and the liability of the township to receive water, under the terms of this agreement, shall cease without prejudice to the right of the commission to be paid and to recover any sums which may then be unpaid and to become due and owing by the commission to the township in respect to the said debenture indebtedness as provided in this agreement.

18. On the commission paying to the township all sums of money required by the terms of this agreement to be paid by the commission to the township in respect to said debenture indebtedness, during said term of thirty years, then the portion of the said main constructed on Birmingham street in the Town of New Toronto between point marked "A" on said plan and the western limit of the said Town of New Toronto, together with the meter house, meter, cross connections and "T" connections on said main, shall be and become the absolute property of the said commission as a part of the said water system established in the Town of New Toronto, and in the event that this agreement shall be

terminated by the township at the expiration of ten years from the date of this agreement, such main, meter house, meter and connections shall be and become the property of the said commission as a part of the said water system of New Toronto, subject, however, to the said commission continuing to pay to the township the amounts necessary to be paid in respect to the said debenture indebtedness as in this agreement is provided.

19. In the event of any difference or dispute arising between the parties hereto as to the sufficiency or accuracy, or state of repair, or condition of the said meter, or as to the quantity of water supplied, such difference or dispute shall be referred to and settled by an engineer to be appointed by the parties hereto, or in default of their agreeing on such appointment, by an engineer to be appointed by the senior Judge of the County Court of the County of York for the time being under the provisions of the *Arbitration Act* or any statutory re-enactment or modification thereof, for the time being in force; and in respect to all other differences or disputes which may at any time arise between the parties hereto, or those claiming under them touching these presents or the subject matter thereof, or rising out of or in relation thereto respectively, shall be referred to three arbitrators, one to be chosen by each of the parties hereto, and the third to be chosen by such first two so chosen, and in the event of said two arbitrators being unable to agree upon a third arbitrator then such third arbitrator shall be appointed by the senior Judge of the County Court of the County of York, and such arbitration shall be subject to the provisions of the *Arbitration Act* or any subsisting amendment or re-enactment thereof.

20. It is hereby understood and agreed that should the township extend or increase the said water area or shall establish a water area or areas bordering on or in proximity to the said water area number 1, then provided the new areas can be supplied by the said 16-inch main on Birmingham street within the Corporation of New Toronto, the commission will during the balance of the term of this agreement, provide water to supply the said area as extended or the said new area or areas, and the clauses of this agreement relating to the supply of water and the price to be paid for water shall mutatis mutandis apply to such extension and new area or areas respectively.

21. It is further provided and it is a condition of this agreement that the said commission shall be excused from supplying water in pursuance of the terms of this agreement, if the performance thereof shall be prevented or interfered with by any act or event beyond the power or control of the corporation or commission and shall not be liable in such cases of non-performance for damages or otherwise, but the said township and owners and occupants within the township and the said water area number 1 shall be in the said position as the owners and occupants within the Corporation of the Town of New Toronto now are with respect to the said commission as to the supply of water.

22. It is further provided, and it is a condition of this agreement that the price of water to be paid by the township shall be subject to revision and shall be rearranged at the end of each five year period, during the term of this agreement, such new price at the end of each five year period to be such as may be agreed upon by the township and the commission, and in the event of the said township and the commission not agreeing on the price, then the price at the end of each five year period in the case of such disagreement shall be ascertained and settled by the arbitrament of three arbitrators as provided in paragraph nineteen of this agreement.

23. The Municipal Corporation of the Town of New Toronto, the party hereto of the third part, hereby consents to and concurs in this agreement and covenants and agrees that the obligations herein expressed or implied and intended to be performed by the commission shall be obligations of it, the party of the third part, and covenants and agrees that such obligations shall be performed according to the true tenor and intent of these presents.

24. This agreement shall enure to the benefit of and be binding on the parties hereto, their successors and assigns.



In witness whereof the township has caused to be affixed hereto its corporate seal and the hands of its Reeve and Clerk, and the said commission has caused to be affixed hereto its corporate seal and the signatures of its chairman and secretary, and the said town has caused to be affixed hereto its corporate seal and the signatures of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED PUBLIC UTILITIES COMMISSION, NEW

in the presence of: TORONTO, ONTARIO. (SEAL.)

THOMAS M. STAUNTON, *Chairman*

T. C. BARRETT, *Secretary*

THE CORPORATION OF THE TOWN OF  
NEW TORONTO, ONTARIO. (SEAL.)

SAMUEL J. —, *Mayor*.

W. H. C. MILLARD, *Clerk*.

MUNICIPALITY OF TOWNSHIP OF ETOBICOKE. (SEAL.)

W. J. GARDHOUSE, *Reeve*.

S. BARRATT, *Clerk*,

#### SCHEDULE "B"

By-Law No. 1356.

A by-law for borrowing the sum of Thirty Thousand Dollars (\$30,000).

Whereas it is expedient to borrow for equipment and extensions to the Hydro-Electric System of the Township of Etobicoke the sum of Thirty Thousand Dollars (\$30,000).

The said extensions and the application for the loan have already been approved and sanctioned by the Hydro-Electric Power Commission of Ontario, and that is the amount of the debt intended to be created by this by-law.

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is the sum of \$4,517,232.

And whereas the amount of the debenture debt of the corporation is the sum of \$361,899.40 (which is all local improvement and public school debenture debt) no part of the principal or interest is in arrear.

Be it therefore enacted by the municipal council of the corporation of the Township of Etobicoke as follows:

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of Thirty Thousand Dollars (\$30,000) and debentures shall be issued therefor on the instalment plan, in sums of not less than \$100.00 each which shall have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years, and shall be payable within twenty years from the date when they shall be issued, and shall bear interest at the rate of six per cent per annum payable yearly in twenty annual instalments during the twenty years next after the date when they shall be issued, and the respective amounts payable in each of such years shall be as follows:

Year	Interest.	Principal	Total Annual Payment.
1. ....	\$ 1,800 00	\$ 815 54	\$ 2,615 54
2. ....	1,751 07	864 47	2,615 54
3. ....	1,699 20	916 34	2,615 54
4. ....	1,644 22	971 32	2,615 54
5. ....	1,585 94	1,029 60	2,615 54
6. ....	1,524 17	1,091 37	2,615 54
7. ....	1,458 69	1,156 85	2,615 54
8. ....	1,389 27	1,226 27	2,615 54
9. ....	1,315 70	1,299 84	2,615 54
10. ....	1,237 71	1,377 83	2,615 54
11. ....	1,155 04	1,460 50	2,615 54
12. ....	1,067 41	1,548 13	2,615 54
13. ....	974 52	1,641 02	2,615 54
14. ....	876 06	1,739 48	2,615 54
15. ....	771 69	1,843 85	2,615 54
16. ....	661 06	1,954 48	2,615 54
17. ....	543 79	2,071 75	2,615 54
18. ....	419 48	2,196 06	2,615 54
19. ....	287 72	2,327 82	2,615 54
20. ....	148 06	2,467 48	2,615 54
	<u>\$22,310 80</u>	<u>\$30,000 00</u>	<u>\$52,310 80</u>

3. The debentures (and interest coupons) shall be signed and issued by the Reeve, and shall be signed also by the Treasurer, and the debentures shall be sealed with the seal of the corporation and shall be payable at the Union Bank of Canada, in the unincorporated Village of Islington in the said municipality.

4. During the currency of the said debentures, there shall be raised annually by a special rate on all the rateable real property of those portions or parts of the said Township of Etobicoke particularly mentioned and described in schedule "A" hereto annexed, the sum of \$2,615.54, for the purpose of paying the amount due in each of the said years, for principal and interest, in respect to the said debt, as set forth in section two.

5. The debentures may contain any provision for the registration of them authorized by law.

6. This by-law shall take effect on the day of the final passing thereof.

Enacted and passed in council this, the 6th day of March, 1922.

(Seal)

(Sgd.) W. J. GARDHOUSE, *Reeve*.

(Sgd.) S. BARRATT, *Clerk*.

Certified a true copy.

Dated at Islington this, the 24th day of October, 1922.

S. BARRATT, *Clerk*.

#### SCHEDULE "A" REFERRED TO IN SECTION FOUR OF THIS BY-LAW.

Which defines the boundaries of those portions of the Township of Etobicoke, the ratepayers of which said portion of the township entitled to vote on money by-laws have already voted in favour of securing a supply of electric power and energy from the Hydro-Electric Power Commission of Ontario.

Which said district is more particularly described as follows: The whole of Polling Sub-Division numbered 1, 2, 3, 4, 5 and 6, of the said Township of Etobicoke and that portion of Polling Sub-Division number 7, lying to the south of the base line, and a line projected in a south-westerly direction from the base line to the Etobicoke River, parallel with and situated one-half mile north of the Burnamthorpe Road.

That portion of Polling Sub-Division number 8 composed of the whole of lots numbered 15 to 20, concession "D," west of the Humber River and the easterly halves of lots 15 to 20 inclusive, concession "B," and the whole of lots numbered 21 and 22, concession "C."

That portion of Polling Sub-Division number 10, composed of the east half of lot 33, concession "A," and the west halves of lots 31, 32 and 33, concession "B," all fronting towards the Humber River in the said Township of Etobicoke.

#### SCHEDULE "C"

##### BY-LAW NO. 1351.

A by-law to provide for borrowing Twenty Thousand Dollars (\$20,000) upon debentures to pay part of the corporation's portion of the cost of construction of the Agar Bridge, the Anderson Bridge, the Thistle-town Breakwater, the Long Branch Bridge, the Kingsberry Avenue culvert, the Daisy Avenue culvert and the Hay Avenue culvert, all situated and being within the Township of Etobicoke.

And whereas the total cost of the work aforesaid is the sum of Twenty-nine Thousand Eight Hundred and Forty-four Dollars and Fifty Cents (\$29,844.50) of which sum twenty per cent, (or the sum of Five Thousand Nine Hundred and Sixty-eight Dollars and Ninety Cents (\$5,968.90) is payable by the Minister of Public Works of the Province of Ontario out of the Consolidated Revenue Fund under the provisions of the *Ontario Highways Act*, chapter 17, 5 Geo. V, 1915, and amendments thereto.

And whereas the municipal council of the Corporation of the Township of Etobicoke has paid out of its general fund the sum of Three Thousand Eight Hundred and Seventy-five Dollars and Sixty Cents (\$3,875.60) towards the cost of construction of the work aforesaid, leaving a balance of the sum of Twenty Thousand Dollars to be provided for by an issue of township debentures.

And whereas the estimated lifetime of the work is twenty years.

And whereas it is necessary to borrow the said sum of twenty thousand dollars (\$20,000) to pay the balance of the corporations share of the cost of construction of the work aforesaid on the credit of the corporation and to issue debentures therefor bearing interest at the rate of six per cent. per annum, which is the amount of the debt intended to be created by this by-law.

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of ten years of such amount respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$4,517,232.

And whereas the amount of the existing debenture debt of the corporation (exclusive of local improvement debt secured by special rates and assessments) is the sum of \$335,676.28, which is all Public School Debenture Debt, and no part of the principal or interest is in arrear.

Therefore, the municipal council of the Corporation of the Township of Etobicoke enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the corporation at large the sum of Twenty Thousand Dollars (\$20,000) and debentures shall be issued therefor in sums of not less than \$100.00 each, bearing interest at the rate of six per cent. per annum and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in ten annual instalments during the ten years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year	Principal	Interest.	Total
1. ....	\$ 1,517 36	\$ 1,200 00	\$2,717 36
2. ....	1,608 41	1,108 95	2,717 36
3. ....	1,704 90	1,012 46	2,717 36
4. ....	1,807 20	910 16	2,717 36
5. ....	1,915 63	801 73	2,717 36
6. ....	2,030 57	686 79	2,717 36
7. ....	2,152 40	564 96	2,717 36
8. ....	2,281 55	435 81	2,717 36
9. ....	2,418 44	298 92	2,717 36
10. ....	2,563 54	153 82	2,717 36
	<hr/> \$20,000 00	<hr/> \$7,173 60	<hr/> \$27,173 60

3. The Reeve of the corporation shall sign and issue the debentures and interest coupons, and the same shall also be signed by the treasurer of the corporation, and the debentures shall also be sealed with the seal of the corporation.

4. During ten years, the currency of the debentures, the sum of Two Thousand Seven Hundred and Seventeen Dollars and Thirty-Six Cents (\$2,717.36) shall be raised annually for the payment of the debt and interest, for the township's portion of the cost, by a special annual rate in the dollar sufficient therefor, over and above all other rates, which is hereby imposed upon the lands liable therefor situate within the said municipality, as appears by the last revised assessment roll of the municipality for the year in which such special rate is imposed respectively, which said special rate shall be collected annually by the collector of taxes for the corporation, at the same time and in the same manner as other rates

5. The signatures to the interest coupons attached to the debentures may be written, stamped, lithographed or engraved.

6. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. This by-law shall take effect upon the day of the final passing thereof

Passed the ninth day of January, 1922.

(Seal)

(Sgd.) W. J. GARDHOUSE, *Reeve.*

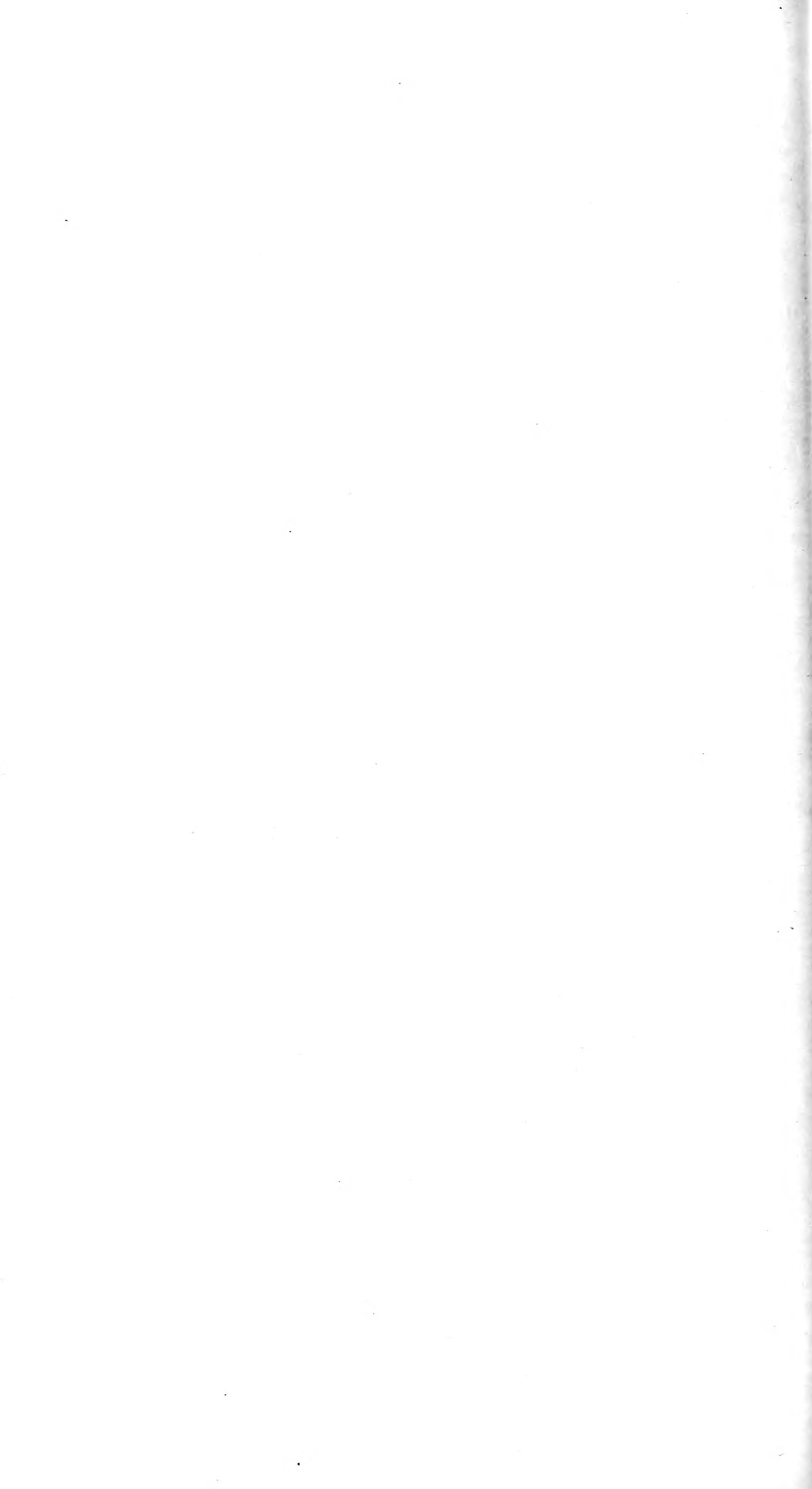
(Sgd.) S. BARRATT, *Clerk.*

Certified a true copy.

Dated this, the 24th day of October, 1922.

S. BARRATT, *Clerk.*







No. 12.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Township  
of Etobicoke.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. GODFREY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.



# BILL

An Act respecting the Township of Etobicoke.

**W**HEREAS the Corporation of the Township of Etobicoke has by its petition represented that the Township of Etobicoke is a township adjoining the Corporations of the City of Toronto, the Town of Mimico and the Town of New Toronto and that its population is rapidly increasing in those portions of the township adjoining the said urban municipalities, and that (a) by reason of such districts becoming thickly populated it is necessary that certain powers should be conferred upon the Corporation for the purpose of enabling the Corporation to instal water and sewage systems in defined areas; (b) to extend to the Corporation powers to pass by-laws under certain sections of *The Consolidated Municipal Act, 1922*; (c) that a by-law for the installation of Hydro-Electric equipment, and for the issue of debentures therefor should be ratified; (d) that certain agreements entered into between the Corporation and the Municipal Corporations of New Toronto and Mimico should be ratified; (e) that the Corporation and the Corporations of the Towns of New Toronto and Mimico should be authorized to enter into certain agreements for the supply of water to the township; (f) that a by-law of the township authorizing the erection of certain bridges and breakwaters and for the issue of debentures therefor should be ratified; (g) that all tax sales and tax deeds made prior to the thirty-first of December, 1921, should be validated and confirmed; (h) that power should be given to the said Corporation to acquire land as sites for and to erect fire halls, and to purchase fire appliances for the benefit of defined areas, and to levy the cost thereof by a special rate on the rateable property in such sections or areas; and whereas the said Municipal Corporation has by its petition shown that certain powers with reference to the construction of waterworks in defined areas, the removal of ashes and the licensing and registration of dogs were conferred upon it and the Municipal Corporation of the Township of Scarborough by an Act passed in the eighth year of the Reign of His Majesty King George the Fifth, chaptered 81; and whereas it is desirable that the said Act should be repealed, and the

said powers should be conferred upon the Township of Etobicoke separately.

Therefore, His Majesty by and with the advice of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

**1.** This Act may be cited as *The Township of Etobicoke Act, 1923*.

Authority to pass by-laws.

**2.** The Municipal Council of the Corporation of the Township of Etobicoke may pass by-laws:

Construction water-works in defined areas.

(1) To acquire, construct, extend, maintain and operate a system or systems of waterworks, including the laying of mains and other appliances to connect with any existing system of water works, whether owned by the Corporation, or by any other corporation or person, for the benefit of any defined sections or areas of the municipality which may from time to time be described in a petition to, or designated by, the council.

Levy of costs.

(2) To provide in any such by-law that the whole cost of acquiring, constructing or extending any work undertaken pursuant to the powers given by this Act shall be charged and levied upon and from all the real property in any such defined sections or areas, and that such cost shall include, in addition to the ordinary cost of construction, the cost of all connections, mains, hydrants, stop cocks, fittings and appliances of every kind whatsoever, and including those parts of the work situate at street intersections in connection with the system, as well as any claim for damages arising out of, or incidental to, the acquiring, construction or maintenance of said works.

Branch water mains, service pipes.

(3) To provide for the construction and installation of branch water mains, service pipes, stop cocks and appliances, and all other necessary works, appliances and apparatus, upon any street within any such defined sections or areas, the whole cost thereof to be specially assessed against the lands served by such branch mains, and no portion of the cost against the municipality at large.

Where main used as trunk main.

(4) To provide that notwithstanding anything contained herein, where a main or water pipe is used both as a trunk main and a distributing main, such part of the cost of construction thereof, including any claim for compensation or for damages arising out of or incidental to the same, as the Council of the Municipal Corporation of the Township of Etobicoke may determine shall be raised as provided in sub-

section 2, as to works performed under subsection 1 of this section, and the balance therefor as provided in subsection 3, for works designated in subsection 3 of this section, or as a local improvement. The provisions of this sub-section shall apply to any by-laws heretofore passed by the township under section 1 of the Act passed in the Eighth year of the Reign of His Majesty King George the Fifth, chaptered 81.

(5) To enlarge or extend from time to time any defined section or area of the municipality by adding thereto such portion or portions of the said municipality as may be described in a petition to or designated by council; to amalgamate any two or more defined sections or areas or parts thereof, and to provide that the cost of acquiring, constructing or extending any works or undertaking pursuant to the power given by this Act shall be levied upon and from all the real property in such area as so enlarged or amalgamated.

(6) The putting down of water mains, service pipes, hydrants, stop cocks, or other appliances by the said Corporation on any streets laid out on a registered plan or on land used as a highway and the assessing of the cost of such water mains, service pipes, hydrants, stop cocks or other appliances against the lands fronting and abutting thereon, and the collection of rates therefor, shall not be deemed an assumption of the said streets or lands as highways of the municipality.

3. The council of the said municipality may pass by-laws to borrow, on the credit of the corporation at large, from time to time, the money necessary for carrying out the works designated in section 2, and may issue debentures to the requisite amount, payable within thirty years from their issue, in respect to the works designated in subsections 1 and 2 of section 2, and within twenty years, in respect to the work designated in subsection 3 of section 2, and shall levy such sums as may be requisite for the purpose of paying the debentures and interest by annual special rates on the dollar, according to the revised assessment roll from year to year, upon all the real property liable therefor contained in any such sections or areas.

4. The council of the municipality may carry on, maintain and operate any such system of waterworks, and levy and collect the whole cost of and incidental thereto upon and from the real property contained in any such defined sections or areas, by a special rate or rates on the dollar, according to its assessed value, and for the purposes aforesaid the corporation shall have and possess, *mutatis mutandis* all the powers given to municipal corporations in respect to municipal

Rev. stat.  
1914, c.  
204.

waterworks in Parts I and IV of *The Public Utilities Act*, and any amendments thereto which may hereafter be passed.

Surplus  
revenue.

5. The surplus revenues arising from the carrying on, maintenance and operation of any such system, after providing for the expense thereof, in any year, shall form part of the funds for the carrying on, maintenance and operation of the said system for the following year or years, but the council may, nevertheless, in any one year, apportion such part of said surplus revenues as they may consider advisable towards the payment of the debentures or interest thereon issued in respect to the main system of waterworks falling due in such year, when the special rate to be levied for payment of the debentures and interest falling due in such year shall be reduced accordingly.

Charging of  
losses  
against  
property.

6. All loss in connection with, or any excess of expense over and above the revenue received in respect to carrying on, maintaining and operating any such water system, and all claims for damages arising in respect or incidental thereto, in any year, shall be charged against the real property contained in any such sections or areas, and shall be levied and collected therefrom by a special rate or rates on the dollar according to its assessed value, in the same manner as other taxes are levied, provided that any surplus revenue which may be on hand from any previous year or years shall be applied to any such loss or damages before any such special rate is levied.

Procedure  
Rev. Stat.  
c. 193.

7. The form of procedure for undertaking any work authorized by this Act shall be that prescribed in sections 8 to 18a of *The Local Improvement Act*, and any amendments thereto which may hereafter be passed, and section 40, sub sections 1 and 2 and sections 43, 44 and 47, and sections 53 to 55 of *The Local Improvement Act*, and any amendments thereto which may hereafter be passed, shall, *mutatis mutandis*, apply to any by-law passed, pursuant to this Act, and it shall not be necessary to submit, for the assent of the electors, any such by-law, but no by-law setting apart any defined area and providing for the construction of the trunk mains, and the operation of the system in such area, shall be finally passed by the council until a certificate shall have been obtained from the Ontario Railway and Municipal Board approving of such by-law, and every by-law, when the same has been approved by the Ontario Railway and Municipal Board, and the debentures which may be issued in substantial conformity with its provisions, shall be valid and binding upon the corporation and upon the lands liable for the rate imposed, by, or under the authority of, the by-law, and the validity of the by-law and every debenture issued pursuant to the same shall not thereafter be open to question in any court.

**8.** The provisions of section 296 of *The Consolidated Municipal Act, 1922*, and any amendments thereto which may hereafter be passed, in respect to the registration and validity of local improvement by-laws, shall apply to any by-law passed pursuant to this Act, providing for the construction and installation of branch water mains.

**9.** The said corporation may supply water for the use of persons or institutions not within any such sections or areas.

Supply of water, when not obligatory.

**10.** The council of the township may from time to time pass by-laws providing for the collection, removal and disposal by the corporation of ashes, garbage and other refuse throughout the municipality, or any defined areas of it, as set apart by the council, at the expense of the owners and occupants of the land contained in such defined areas, and for imposing upon such land, according to its assessed value, a special rate on the dollar to defray the expense of such collection, removal and disposal.

Removal of ashes, garbage, etc.

**11.** The council of the said township may, from time to time, pass by-laws for licensing, registering, tagging and otherwise controlling dogs, and imposing such fees therefor as the council may see fit on the owners, possessors or harbourers of them, with the right to impose a larger tax in case of bitches, or for each additional dog or bitch where more than one is owned, possessed or harboured by any one person, or in any one household, but the tax imposed under any such by-law shall not be less than is provided in *The Dog Tax and Sheep Protection Act*, or any amendments thereto which may hereafter be passed, and while any such by-law is in force sections 3 to 7 of *The Dog Tax and Sheep Protection Act* shall not apply to the municipality passing the same, and it shall not be necessary to enter any particulars as to dog taxes in the collector's roll, but the moneys collected shall be applied in all respects the same as if they had been collected and paid to the municipality under said sections 3 to 7 of the said Act.

Licensing and registration of dogs.

**12.** The agreement made between the Corporation of the Town of New Toronto and the Corporation of the Township of Etobicoke, dated the nineteenth day of August, A.D. 1922, set out in schedule "A" hereto and all acts done thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto.

Agreement between New Toronto and Etobicoke confirmed

**13.**—(1) Notwithstanding anything contained in any Act of this Legislature, the Corporation of the Town of New Toronto, and the Corporation of the Town of Mimico, or either of them, or the Public Utilities Commissions of the said towns, or either of them, may supply water or permit water

New Toronto, Mimico and Etobicoke may enter into agreements respecting water mains.

to be supplied from or through the water works systems of the said towns, or either of them, to the Township of Etobicoke, or any part of it upon such terms, and for such term of years as may be agreed upon between the said corporations or either of them, or the said Commissioners, or either of them, and the Corporation of the Township of Etobicoke, and may exercise all other powers necessary for carrying out any agreement or agreements which have been or may hereafter be entered into for that purpose. The Corporation of the Town of New Toronto and the Corporation of the Town of Mimico may also permit the Corporation of the Township of Etobicoke to extend any of its water mains into and through, and to connect with any existing water mains in the Town of New Toronto or in the Town of Mimico, upon such terms and conditions as may be agreed upon, and the said corporations are hereby empowered to enter into agreements from time to time for such purposes, or any of them.

Towns may  
take over  
watermains  
from  
Township.


(2) Any water main constructed by the Township of Etobicoke within the limits of the Town of New Toronto, or the Town of Mimico, pursuant to any such agreement, may at any time or any part of such water main may from time to time be taken over by the Corporation of the Town of New Toronto or the Corporation of the Town of Mimico as part of its water works system and in that event the Corporation of the Town of New Toronto or the Town of Mimico shall pay to the Corporation of the Township of Etobicoke the actual cost of the construction of such water main or portion of such water main within the limits of the Town of Mimico in such manner as may be agreed upon.

Mimico may  
borrow  
money under  
provisions  
1917, c. 77,  
s. 10

(3) For the purposes aforesaid the Corporation of the Town of Mimico may from time to time borrow money by the issue of debentures under a by-law to be passed pursuant to the provisions of section 10 of an Act passed in the seventh year of the reign of His Majesty, King George the fifth, chaptered 77, and intituled *An Act to incorporate the Town of Mimico*, and amendments thereto, and the provisions of the said section of the said Act shall apply to such water main, or portion of water main in the same manner as if such water main or portion of water main had been constructed or was being constructed as a local improvement as part of the water works system of the Town of Mimico, pursuant to the provisions of the said Act.

Agreements  
between  
Mimico,  
New  
Toronto  
and  
Etobicoke  
confirmed.

(4) Any agreement or agreements heretofore made and entered into by and between the Corporation of the Township of Etobicoke, the Corporation of the Town of New Toronto, the Public Utility Commission of the Town of New Toronto, The Corporation of the Town of Mimico, and the Public

Utility Commission of the Town of Mimico, or any of them, for the purposes aforesaid or any of them, are hereby ratified and confirmed and declared to be legal, and valid and binding upon the parties thereto, their and each of their successors and assigns. 

**14.** By-law number 1356 of the Municipal Corporation of the Township of Etobicoke passed on the sixth day of March, 1922, entitled "A by-law for borrowing \$30,000 for equipment and extension to the Hydro-Electric System of the Township of Etobicoke," set out in schedule "B" hereto is hereby ratified and confirmed, and declared to be legal, valid and binding upon the Municipal Corporation of the Township of Etobicoke and the ratepayers thereof, according to the true meaning and intent thereof.

By-law No.  
1356,  
Etobicoke,  
confirmed.

**15.** By-law number 1351 of the Municipal Corporation of the Township of Etobicoke passed on the ninth day of January, 1922, entitled "A by-law to provide for borrowing Twenty Thousand Dollars (\$20,000) upon debentures to pay part of the corporation's portion of the cost of the Agar Bridge, the Anderson Bridge, the Thistletown Breakwater, the Long Branch Bridge, the Kingsberry Avenue Culvert, the Daisy Avenue Culvert and the Hay Avenue Culvert, all situated and being within the Township of Etobicoke," set out in schedule "C" hereto is hereby ratified and confirmed and declared to be legal, valid and binding upon the Municipal Corporation of the Township of Etobicoke and the ratepayers thereof.

By-law No.  
1351,  
Etobicoke,  
confirmed.

**16.—(1)** The Council of the Corporation of the Township of Etobicoke may pass by-laws:—

Authority  
to pass  
by-laws.

- (a) To construct, operate and maintain sewers, a sewerage system and sewage disposal works in any defined section or area of the township as may be described in a petition to or designated by the council. Sewers.
- (b) To provide that the whole cost of the construction of sewage disposal works shall be raised by a special rate on all the real property in such defined section or area and shall not be borne by the corporation at large notwithstanding anything in any Act of this Legislature. Cost.
- (c) To provide that such part of the cost of the construction of sewers or sewerage systems as shall be determined by a vote of three- Special  
distribution  
varying  
provisions  
of Rev. Stat.  
c. 193.

fourths of all the members of the council shall be raised by a certain sum per foot frontage specially assessed upon the land abutting directly on the work as a local improvement under and pursuant to the provisions of *The Local Improvement Act*, and that the remainder of the cost of such sewers or sewerage system and the cost of maintenance thereof shall be raised by a special rate on all the real property in such defined section or area and shall not be borne by the corporation at large and that the amount of reduction provided by section 24 and the amount of exemption provided for by section 48 of *The Local Improvement Act* shall not be chargeable upon the land liable to be specially assessed, but shall be levied by a special rate on all the real property in such defined section or area.

Costs where  
used both as  
trunk and  
service  
sewers.

- (d) To enlarge and extend from time to time any defined section or area of the municipality by adding thereto such portion or portions of the said municipality as may be described in a petition to or designated by council; to amalgamate any two or more defined sections or areas or parts thereof, and to provide that the cost of acquiring, constructing and extending any works or undertaking pursuant to the powers given by this Act shall be levied upon and from the real property in such area as so enlarged or amalgamated.

Authority  
to borrow  
money on  
credit of  
corporation  
at large dur-  
ing progress  
work

- (2) The said corporation may from time to time borrow on the credit of the corporation at large as the work proceeds such sums of money as may be necessary to defray the owners' portion of the cost, as defined by *The Local Improvement Act*, of any sewer or sewerage system and issue debentures for the sum so borrowed for such purpose to be payable within the lifetime of the work.

Borrowing  
to pay  
balance  
cost.

- (3) The said corporation may also from time to time borrow on the credit of the corporation as the work proceeds such sums of money as may be necessary to defray the remainder of the cost of sewers or sewerage system after deducting the amounts to be raised under subsection 2, but including sewage disposal works, if any, and to issue debentures for the sums so borrowed payable in a period not exceeding forty years.



(4) The council of the said corporation may pass by-laws providing that in respect of money borrowed under sub-section 3 the instalments of principal and interest repayable in the first ten years of the lifetime of the debentures issued therefor shall be equal to payments which would be necessary if the debentures were payable in sixty years; and that during the remainder of the lifetime of the said debentures the yearly payments of principal and interest shall be as nearly equal as possible.

**17.**—(1) All sales of land within the Township of Etobicoke made prior to the thirty-first day of December, 1921, which purport to have been made by the corporation of the said township for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation are hereby validated and confirmed and all deeds of lands so sold executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns are hereby validated and confirmed, and shall have power of vesting the lands so sold or conveyed or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his, her or their assigns in fee simple, free and clear of and from all title or interest whatsoever, of the owner or owners thereof at the time of such sale or his, her or their assigns, and all charges or encumbrances thereon and dower therein, except taxes accrued since those for which payment whereof the said lands were sold.

(2) Subsection 1 of this section shall extend and apply to cases where the said township or any person or persons in trust for it, or on its behalf became the purchaser of lands at any such tax sale.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**18.** The council of the Municipal Corporation of the Township of Etobicoke may pass by-laws for the following purposes:—

1. For inspecting public bathing-houses and boat-houses or premises wholly or partly used for boat-house purposes; and for prohibiting their use for illegal or immoral purposes.

Regulating  
strength of  
buildings,  
inspection of  
plans; fees.

2. For regulating the size and strength of brick, stone, cement and concrete walls, and of the beams, joists, rafters, roofs and their supports of all buildings to be erected, altered or repaired, and for requiring the production of the plans of all buildings and for charging fees for the inspection and approval of such plans, and fixing the amount of the fees.

Regulating  
wrecking of  
buildings.

3. For regulating the removing or wrecking of buildings and the spraying thereof during such work so as to prevent dust or rubbish arising therefrom.

Regulating  
use of build-  
ing for pur-  
poses not  
structurally  
suited.

4. For regulating and governing the use of any building for purposes for which it may be structurally unsuited, or which from the size or strength of its walls, supports or floors may render the same dangerous and for requiring the owner or occupant to obtain a permit from the architect or other municipal officer named in the by-law before putting any building to such use.

Filing of  
plans.

5. For requiring to be deposited with an officer named in the by-law, before the erection of a building is commenced, a ground or block plan of the building, with the levels of the cellars and basements, with reference to a line fixed by by-law.

Prohibiting  
children  
riding  
behind  
vehicles.

6. For prohibiting children from riding on the platforms of cars, or riding behind or getting on wagons, sleighs or other vehicles while in motion, and for preventing accidents arising from such cases.

Fire Dept.  
vehicles.

7. For providing that the reels, engines and vehicles of the fire department shall have the right of way on the streets and highways while proceeding to a fire or answering a fire alarm call.

Local fire  
department.

8. For appointing fire wardens, fire engineers and firemen and for promoting, establishing and regulating fire, hook-and-ladder, and property-saving companies.

Regulating,  
construction  
of buildings.

9. For regulating the construction, alteration or repairs of buildings.

Prohibiting  
erection of  
wooden  
buildings.

10. For prohibiting the erection of wooden buildings or wooden additions, and of wooden fences, or the removal of any such buildings or fence from one place to another in defined areas of the municipality.

11. For prohibiting the erection or placing within defined areas of buildings or additions to them with main walls other than of brick, cement, concrete, iron or stone, and roofing of other than incombustible material. Prohibiting erection of certain buildings in defined areas.
12. For regulating the repairing or alteration of roofs or the external walls of existing buildings within such areas, so that the buildings may be as nearly as practicable fire-proof. Regulating repair of roofs or external walls.
13. For authorizing the pulling down or removal, at the expense of the owner, of any building or erection constructed, altered, repaired or placed in contravention of the by-law. Authorizing pulling down of buildings.
14. For authorizing the pulling down or repairing or renewing, at the expense of the owner, of any building, fence, scaffolding or erection, which, by reason of its ruinous or dilapidated state, faulty construction or otherwise is in an unsafe condition as regards danger from fire or risk of accident. Authorizing pulling down of dilapidated buildings.
15. For prohibiting or regulating the use of fire or lights in factories, stables, cabinet makers' shops, carpenters' shops, paint shops, dye and cleaning works, and places where their use may cause or promote fire. Regulating use of fire and lights in factories.
16. For prohibiting or regulating the carrying on of manufactures or trades which may be deemed dangerous in causing or spreading fire. Regulating hazardous trades.
17. For regulating and inspecting wires and other apparatus placed or used for the transmission of electricity for any purpose in or along any highway or on or in any building, and for requiring any such wire or other apparatus which is deemed unsafe or dangerous to be removed or repaired at the expense of the person to whom it belongs or who is using it. Regulating electric wiring.
18. For regulating the construction of chimneys, flues, fireplaces, stoves, ovens, boilers or other apparatus or things which may be dangerous in causing or promoting fire, and for removing at the expense of the owner any of them constructed in contravention of the by-law. Regulating chimneys, boilers, etc.

Regulating  
construction  
chimneys.

19. For regulating the construction as to dimensions and otherwise, and for enforcing the proper cleaning of chimneys.

Regulating  
removal  
ashes.

20. For regulating the mode of removal and safe keeping of ashes.

Regulating  
erection of  
party walls.

21. For regulating and enforcing the erection of party walls.

Requiring  
scuttles in  
roofs.

22. For requiring the owners and occupants of buildings to have scuttles in the roof, with approaches, or stairs or ladders leading to the roof.

Regulating  
condition of  
yards.

23. For requiring buildings and yards to be put in a safe condition to guard against fire or other dangerous risk or accident.

Fire  
buckets.

24. For requiring each inhabitant to provide as many fire buckets, in such manner and at such time as may be prescribed; and for regulating the inspection of them and their use at fires.

Inspection  
of property.

25. For authorizing appointed officers to enter at all reasonable times upon any property, in order to ascertain whether the provisions of the by-law are obeyed, and to enforce or carry into effect the same.

Demolishing  
buildings.

26. For suppressing fires, and for pulling down or demolishing buildings or other erections when deemed necessary to prevent the spread of fire.

Fires:  
enforcing  
assistance.

27. For regulating the conduct and enforcing the assistance of persons present, and for the preservation of property at fires.

Regulations  
for  
prevention  
fires.

28. For making such other regulations for preventing fires and the spread of fires as the council may deem necessary.

Regulating  
traffic on  
highways.

29. For prohibiting heavy traffic and the use of traction engines and the driving of cattle, sheep, pigs and other animals during the whole or any part of the day or night in certain highways and public places named in the by-law, and for prohibiting traffic in any but one direction in highways which in the opinion of the council are too narrow for the passing of one vehicle by another or in which, in the opinion of the council it is desirable that traffic should be limited to one direction.

30. For prohibiting or regulating the sale by retail *on certain defined highways or parts of highways* or on vacant lots adjacent to *such highways or parts of highways* of any meat, vegetables, grain, hay, fruit, beverages, smallwares and other articles, and for regulating traffic in and preventing the blocking up of the highways by vehicles or otherwise.

Regulating  
sale by  
retail  
adjacent to  
highways.

31. For declaring any highway or part of a highway to be a residential street, and for prescribing the distance from the line of the street in front of it at which no building on a residential street may be erected or placed.

Residential  
streets.

(a) It shall not be necessary that the distance shall be the same on all parts of the street.

(b) The by-law shall not be passed except by a vote of two-thirds of all the members of the council.

**19.**—(1) The council of the Corporation of the Township of Etobicoke may upon presentation to the council of a petition signed by at least ten per cent. of the municipal electors in the section or area affected, pass by-laws for acquiring land and for erecting thereon a community hall and a fire hall or fire halls and for purchasing fire engines and other appliances for fire protection for the use and benefit of any defined section or area of the township and for levying the whole cost thereof by a special rate on all the rateable property in such section or area.

Authority  
to pass by-  
laws for  
building  
firehalls.

(2) The annual cost of maintenance and repair of such community hall and fire hall or fire halls and of appointing, insuring and paying men for all services rendered in connection with such fire halls, shall also be met by a special rate on all the rateable property in such section or area.

Annual cost  
of  
maintenance.

**20.** The Act passed in the Eighth year of the Reign of His Majesty King George the Fifth, chaptered 81, entitled "An Act respecting the Townships of Scarborough and Etobicoke, is, in so far as it applies to the Township of Etobicoke, hereby repealed.

1918, c. 81  
repealed.

**21.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

Memorandum of Agreement made this nineteenth day  
of August, A.D. 1922.

Between:

THE NEW TORONTO PUBLIC UTILITIES COMMISSION,  
hereinafter called the "Commission,"

of the first part:

THE MUNICIPALITY OF THE TOWNSHIP OF ETOBICOKE,  
hereinafter called the "Township,"

of the second part:

—and—

THE MUNICIPAL CORPORATION OF THE TOWN OF NEW  
TORONTO,

hereinafter called the "Town,"

of the third part:

Whereas there has been established a water system in the Town of New Toronto, which is under the control and management of the said commission in pursuance to the *Public Utilities Act*, and in pursuance to a by-law passed by the Municipal Council of the said Town of New Toronto with the assent of the municipal electors thereto;

And whereas the Township of Etobicoke has established a water area known as Etobicoke Water Area number 1 (Long Branch), and is desirous of obtaining a supply of water for such area;

And whereas in order to obtain such supply of water, it is necessary to connect the said area with the commission's water system by laying a water main along a portion of Birmingham street within the limits of the Corporation of New Toronto, and each of the parties hereto is desirous of having such main laid for the joint use of the said commission and of the said township.

And whereas the estimated cost of the said main is \$29,000 and it has been agreed that the township shall contribute thereto the sum of \$20,000, and the corporation the sum of \$9,000, or each party shall contribute to the payment of the cost as finally ascertained, in such proportions, that is, the township twenty and the commission nine.

And whereas in order to provide the funds required for the said work, it will be necessary for the township to raise by means of debentures the total cost of the said proposed main, and the commission is to pay to the township a proportionate part of the carrying charges according to the above ratio, as the same respectively fall due.

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. The commission shall supply, and the township shall take and purchase water in bulk for the supply of water for domestic, trade and public and fire purposes for the use, benefit and advantage of the owners and occupants of lands within the said water area number 1 (Long Branch), the limits of which are set out, mentioned and described in the schedule hereto annexed and marked "A" for a term of 30 years, upon the terms and conditions, at the price, and subject to the regulations hereinafter mentioned.

2. The township shall construct and lay a sixteen-inch water main from the commission's existing water main now laid on Birmingham street at a point marked "A" on the plan annexed to this agreement, that is at the intersection of Birmingham street and Sixth street, thence westerly along Birmingham street on a line marked in red on the said plan to the boundary of said water area number 1 at a point marked "B" on the said plan.

3. The said main shall be constructed and laid at such depth and shall be furnished with such valves, tees and crosses, and in such position as may be required by the said commission's engineer, and when constructed and laid shall, during the said term, be maintained in good repair or renewed when necessary; the cost of constructing and laying the said main and the repairing and renewing of the same shall be borne by the parties hereto in the proportion which the respective amounts mentioned in the recital hereto, bears to the total cost, subject as is herein specially provided for. The commission shall make such repairs and renewals, and shall pay for the said maintenance, and the township agrees to pay to the commission on demand, its share of said cost of repairs, renewal, and maintenance, in the same ratio as aforesaid.

4. The said township shall, in connection with the said water area number 1, raise by debentures the total cost of the said main, including the cost of meters, meter-house, and other necessary expenditures in connection therewith, and the commission or the municipal corporation will pay to the township its proportionate share in the same ratio as \$9,000 bears to \$20,000, of said debenture charges. It is, however, understood and agreed that should the commission make payment under the next succeeding paragraph herein in any year, then that no payment shall be made or required under this paragraph during such year.

5. The commission shall, from the date which the said debentures shall bear, pay to the township, one-fifth in each year of the aggregate water bills for the year under this agreement when such aggregate amounts to \$4,000 or more, such payment to the township not to exceed \$2,000 in any one year.

6. The township shall erect and build a meter house at point "B" shown on said annexed plan, being at the eastern boundary of the said water area number 1, or as near thereto as circumstances may permit, and shall fix therein a meter for the purpose of measuring the water supplied by the commission to the township so that all water so supplied shall pass through such water meter before entering the mains and pipes of the township in such water area number 1.

7. The said meter house and meter shall be of such make, quality, description and construction and shall be placed in such position as the engineer of the commission shall require or approve, and shall at all times during the said term be kept in good repair, working order and condition and renewed when necessary by the commission's engineer; the cost of such repair, renewal and maintenance to be paid by the township to the said commission on demand.

8. The said meter shall be tested once or oftener in every year in such manner and by such persons as the commission shall require, and the said meter house and meter shall at all times during the said term be open to the inspection of the township and the commission, and their respective proper officers and servants.

9. The township in laying and constructing the said main on Birmingham street, shall provide for and make the necessary connections between said main and all existing mains on Seventh, Eighth, Ninth, Tenth, Eleventh, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first and Twenty-second streets, in accordance with the requirements of the commission's engineer, it being understood that at Nineteenth street the township shall construct on said main a cross 16 inches by 16 inches by 12 inches by 6 inches, and on all other streets such connections will be made as are required by the engineer and extensions made to the north and south limit of Birmingham street, such extensions to be connected to mains on said streets enumerated in this paragraph, where existing.

10. All the works hereinbefore mentioned shall be completed with as little delay as possible and subject to the approval of the commission's Engineer, and all plans and specifications in connection with the said work between the said points "A" and "B" will be submitted to and be subject

to the approval of the commission's engineer, and such connections shall be made in such manner as shall be directed by, and to the satisfaction of the commission's engineer.

11. From the date when the said connections aforesaid shall be made, the commission shall keep the elevated steel tank now situate within the corporation of the Town of New Toronto, three-quarters full of water, or as continuously thereto as is reasonably possible under existing operating conditions, and the commission will on notice being received by it, or by its proper officers, from authorized officials of the township, provide extra pressure in the said mains to provide a standard fire pressure at the boundary of the said water area number 1.

12. The price of the water to be supplied under this agreement shall be at the rate of fifteen cents (15c.) per every one thousand Imperial gallons supplied by the commission and taken by the township, as shown by such meter measurement, such price to be subject to revision each five years, as is hereinafter provided.

13. The commission shall furnish to the township each month after the said connections are made, an account of the sums due to the commission under these presents in respect of the supply of water for the previous month in accordance with the standard practice of the said commission.

14. The register of the said meter shall be prima facie evidence of the quantity of water supplied by the commission through such meter. In the event of any difference or dispute arising between the parties hereto as to the sufficiency or accuracy, or state of repair, or condition of the said meter, or as to the quantity of water supplied, such difference or dispute shall be referred to and settled by arbitration as hereinafter provided for.

15. In the event of the said meter being found to register erroneously, such erroneous registration shall be deemed to have arisen in the then next preceding month unless it is proved to have arisen during the then current month; the amount of the allowance to be made to, or of the surcharge to be made upon the township by the commission, shall be allowed or paid to or by the township, as the case may be forthwith.

16. If, at any time, the said meter shall cease to register, or shall at any time be removed for the purpose of repair, renewal or any other purpose, then until the said meter shall be repaired or replaced so as to register correctly the quantity of water passing through it, the commission shall be entitled to charge, and the township shall be liable to pay for a daily quantity of water equal to the average daily quantity of water for which the township shall have paid or been liable to pay in respect to the previous three months under the terms of this agreement.

17. It shall be lawful for the township, at any time after the expiration of ten years from the date of this agreement, to terminate this agreement upon giving notice to the commission not less than 12 months previously in writing, and upon the expiration of such notice, the liability of the commission to supply water, and the liability of the township to receive water, under the terms of this agreement, shall cease without prejudice to the right of the commission to be paid and to recover any sums which may then be unpaid and to become due and owing by the commission to the township in respect to the said debenture indebtedness as provided in this agreement.

18. On the commission paying to the township all sums of money required by the terms of this agreement to be paid by the commission to the township in respect to said debenture indebtedness, during said term of thirty years, then the portion of the said main constructed on Birmingham street in the Town of New Toronto between point marked "A" on said plan and the western limit of the said Town of New Toronto, together with the meter house, meter, cross connections and "T" connections on said main, shall be and become the absolute property of the said commission as a part of the said water system established in the Town of New Toronto, and in the event that this agreement shall be



terminated by the township at the expiration of ten years from the date of this agreement, such main, meter house, meter and connections shall be and become the property of the said commission as a part of the said water system of New Toronto, subject, however, to the said commission continuing to pay to the township the amounts necessary to be paid in respect to the said debenture indebtedness as in this agreement is provided.

19. In the event of any difference or dispute arising between the parties hereto as to the sufficiency or accuracy, or state of repair, or condition of the said meter, or as to the quantity of water supplied, such difference or dispute shall be referred to and settled by an engineer to be appointed by the parties hereto, or in default of their agreeing on such appointment, by an engineer to be appointed by the senior Judge of the County Court of the County of York for the time being under the provisions of the *Arbitration Act* or any statutory re-enactment or modification thereof, for the time being in force; and in respect to all other differences or disputes which may at any time arise between the parties hereto, or those claiming under them touching these presents or the subject matter thereof, or rising out of or in relation thereto respectively, shall be referred to three arbitrators, one to be chosen by each of the parties hereto, and the third to be chosen by such first two so chosen, and in the event of said two arbitrators being unable to agree upon a third arbitrator then such third arbitrator shall be appointed by the senior Judge of the County Court of the County of York, and such arbitration shall be subject to the provisions of the *Arbitration Act* or any subsisting amendment or re-enactment thereof.

20. It is hereby understood and agreed that should the township extend or increase the said water area or shall establish a water area or areas bordering on or in proximity to the said water area number 1, then provided the new areas can be supplied by the said 16-inch main on Birmingham street within the Corporation of New Toronto, the commission will during the balance of the term of this agreement, provide water to supply the said area as extended or the said new area or areas, and the clauses of this agreement relating to the supply of water and the price to be paid for water shall mutatis mutandis apply to such extension and new area or areas respectively.

21. It is further provided and it is a condition of this agreement that the said commission shall be excused from supplying water in pursuance of the terms of this agreement, if the performance thereof shall be prevented or interfered with by any act or event beyond the power or control of the corporation or commission and shall not be liable in such cases of non-performance for damages or otherwise, but the said township and owners and occupants within the township and the said water area number 1 shall be in the said position as the owners and occupants within the Corporation of the Town of New Toronto now are with respect to the said commission as to the supply of water.

22. It is further provided, and it is a condition of this agreement that the price of water to be paid by the township shall be subject to revision and shall be rearranged at the end of each five year period, during the term of this agreement, such new price at the end of each five year period to be such as may be agreed upon by the township and the commission, and in the event of the said township and the commission not agreeing on the price, then the price at the end of each five year period in the case of such disagreement shall be ascertained and settled by the arbitrament of three arbitrators as provided in paragraph nineteen of this agreement.

23. The Municipal Corporation of the Town of New Toronto, the party hereto of the third part, hereby consents to and concurs in this agreement and covenants and agrees that the obligations herein expressed or implied and intended to be performed by the commission shall be obligations of it, the party of the third part, and covenants and agrees that such obligations shall be performed according to the true tenor and intent of these presents.

24. This agreement shall enure to the benefit of and be binding on the parties hereto, their successors and assigns.

In witness whereof the township has caused to be affixed hereto its corporate seal and the hands of its Reeve and Clerk, and the said commission has caused to be affixed hereto its corporate seal and the signatures of its chairman and secretary, and the said town has caused to be affixed hereto its corporate seal and the signatures of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED PUBLIC UTILITIES COMMISSION, NEW

in the presence of: TORONTO, ONTARIO. (SEAL.)

THOMAS M. STAUNTON, *Chairman*

T. C. BARRETT, *Secretary*

THE CORPORATION OF THE TOWN OF  
NEW TORONTO, ONTARIO. (SEAL.)

SAMUEL J. —, *Mayor.*

W. H. C. MILLARD, *Clerk.*

MUNICIPALITY OF TOWNSHIP OF ETOBICOKE. (SEAL.)

W. J. GARDHOUSE, *Reeve.*

S. BARRATT, *Clerk.*

#### SCHEDULE "B"

##### BY-LAW No. 1356.

A by-law for borrowing the sum of Thirty Thousand Dollars (\$30,000).

Whereas it is expedient to borrow for equipment and extensions to the Hydro-Electric System of the Township of Etobicoke the sum of Thirty Thousand Dollars (\$30,000).

The said extensions and the application for the loan have already been approved and sanctioned by the Hydro-Electric Power Commission of Ontario, and that is the amount of the debt intended to be created by this by-law.

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is the sum of \$4,517,232.

And whereas the amount of the debenture debt of the corporation is the sum of \$361,899.40 (which is all local improvement and public school debenture debt) no part of the principal or interest is in arrear.

Be it therefore enacted by the municipal council of the corporation of the Township of Etobicoke as follows:

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of Thirty Thousand Dollars (\$30,000) and debentures shall be issued therefor on the instalment plan, in sums of not less than \$100.00 each which shall have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years, and shall be payable within twenty years from the date when they shall be issued, and shall bear interest at the rate of six per cent per annum payable yearly in twenty annual instalments during the twenty years next after the date when they shall be issued, and the respective amounts payable in each of such years shall be as follows:

Year	Interest.	Principal	Total Annual Payment.
1. ....	\$ 1,800 00	\$ 815 54	\$ 2,615 54
2. ....	1,751 07	864 47	2,615 54
3. ....	1,699 20	916 34	2,615 54
4. ....	1,644 22	971 32	2,615 54
5. ....	1,585 94	1,029 60	2,615 54
6. ....	1,524 17	1,091 37	2,615 54
7. ....	1,458 69	1,156 85	2,615 54
8. ....	1,389 27	1,226 27	2,615 54
9. ....	1,315 70	1,299 84	2,615 54
10. ....	1,237 71	1,377 83	2,615 54
11. ....	1,155 04	1,460 50	2,615 54
12. ....	1,067 41	1,548 13	2,615 54
13. ....	974 52	1,641 02	2,615 54
14. ....	876 06	1,739 48	2,615 54
15. ....	771 69	1,843 85	2,615 54
16. ....	661 06	1,954 48	2,615 54
17. ....	543 79	2,071 75	2,615 54
18. ....	419 48	2,196 06	2,615 54
19. ....	287 72	2,327 82	2,615 54
20. ....	148 06	2,467 48	2,615 54
	\$22,310 80	\$30,000 00	\$52,310 80

3. The debentures (and interest coupons) shall be signed and issued by the Reeve, and shall be signed also by the Treasurer, and the debentures shall be sealed with the seal of the corporation and shall be payable at the Union Bank of Canada, in the unincorporated Village of Islington in the said municipality.

4. During the currency of the said debentures, there shall be raised annually by a special rate on all the rateable real property of those portions or parts of the said Township of Etobicoke particularly mentioned and described in schedule "A" hereto annexed, the sum of \$2,615.54, for the purpose of paying the amount due in each of the said years, for principal and interest, in respect to the said debt, as set forth in section two.

5. The debentures may contain any provision for the registration of them authorized by law.

6. This by-law shall take effect on the day of the final passing thereof.

Enacted and passed in council this, the 6th day of March, 1922.

(Seal)

(Sgd.) W. J. GARDHOUSE, *Reeve*.

(Sgd.) S. BARRATT, *Clerk*.

Certified a true copy.

Dated at Islington this, the 24th day of October, 1922.

S. BARRATT, *Clerk*.

#### SCHEDULE "A" REFERRED TO IN SECTION FOUR OF THIS BY-LAW.

Which defines the boundaries of those portions of the Township of Etobicoke, the ratepayers of which said portion of the township entitled to vote on money by-laws have already voted in favour of securing a supply of electric power and energy from the Hydro-Electric Power Commission of Ontario.

Which said district is more particularly described as follows: The whole of Polling Sub-Division numbered 1, 2, 3, 4, 5 and 6, of the said Township of Etobicoke and that portion of Polling Sub-Division number 7, lying to the south of the base line, and a line projected in a south-westerly direction from the base line to the Etobicoke River, parallel with and situated one-half mile north of the Burnamthorpe Road.

That portion of Polling Sub-Division number 8 composed of the whole of lots numbered 15 to 20, concession "D," west of the Humber River and the easterly halves of lots 15 to 20 inclusive, concession "B," and the whole of lots numbered 21 and 22, concession "C."

That portion of Polling Sub-Division number 10, composed of the east half of lot 33, concession "A," and the west halves of lots 31, 32 and 33, concession "B," all fronting towards the Humber River in the said Township of Etobicoke.

#### SCHEDULE "C"

##### By-LAW No. 1351.

A by-law to provide for borrowing Twenty Thousand Dollars (\$20,000) upon debentures to pay part of the corporation's portion of the cost of construction of the Agar Bridge, the Anderson Bridge, the Thistle-town Breakwater, the Long Branch Bridge, the Kingsberry Avenue culvert, the Daisy Avenue culvert and the Hay Avenue culvert, all situated and being within the Township of Etobicoke.

And whereas the total cost of the work aforesaid is the sum of Twenty-nine Thousand Eight Hundred and Forty-four Dollars and Fifty Cents (\$29,844.50) of which sum twenty per cent, (or the sum of Five Thousand Nine Hundred and Sixty-eight Dollars and Ninety Cents (\$5,968.90) is payable by the Minister of Public Works of the Province of Ontario out of the Consolidated Revenue Fund under the provisions of the *Ontario Highways Act*, chapter 17, 5 Geo. V, 1915, and amendments thereto.

And whereas the municipal council of the Corporation of the Township of Etobicoke has paid out of its general fund the sum of Three Thousand Eight Hundred and Seventy-five Dollars and Sixty Cents (\$3,875.60) towards the cost of construction of the work aforesaid, leaving a balance of the sum of Twenty Thousand Dollars to be provided for by an issue of township debentures.

And whereas the estimated lifetime of the work is twenty years.

And whereas it is necessary to borrow the said sum of twenty thousand dollars (\$20,000) to pay the balance of the corporations share of the cost of construction of the work aforesaid on the credit of the corporation and to issue debentures therefor bearing interest at the rate of six per cent. per annum, which is the amount of the debt intended to be created by this by-law.

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of ten years of such amount respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$4,517,232.

And whereas the amount of the existing debenture debt of the corporation (exclusive of local improvement debt secured by special rates and assessments) is the sum of \$335,676.28, which is all Public School Debenture Debt, and no part of the principal or interest is in arrear.

Therefore, the municipal council of the Corporation of the Township of Etobicoke enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the corporation at large the sum of Twenty Thousand Dollars (\$20,000) and debentures shall be issued therefor in sums of not less than \$100.00 each, bearing interest at the rate of six per cent. per annum and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in ten annual instalments during the ten years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year	Principal	Interest.	Total
1. ....	\$ 1,517 36	\$ 1,200 00	\$2,717 36
2. ....	1,608 41	1,108 95	2,717 36
3. ....	1,704 90	1,012 46	2,717 36
4. ....	1,807 20	910 16	2,717 36
5. ....	1,915 63	801 73	2,717 36
6. ....	2,030 57	686 79	2,717 36
7. ....	2,152 40	564 96	2,717 36
8. ....	2,281 55	435 81	2,717 36
9. ....	2,418 44	298 92	2,717 36
10. ....	2,563 54	153 82	2,717 36
	<u>\$20,000 00</u>	<u>\$7,173 60</u>	<u>\$27,173 60</u>

3. The Reeve of the corporation shall sign and issue the debentures and interest coupons, and the same shall also be signed by the treasurer of the corporation, and the debentures shall also be sealed with the seal of the corporation.

4. During ten years, the currency of the debentures, the sum of Two Thousand Seven Hundred and Seventeen Dollars and Thirty-Six Cents (\$2,717.36) shall be raised annually for the payment of the debt and interest, for the township's portion of the cost, by a special annual rate in the dollar sufficient therefor, over and above all other rates, which is hereby imposed upon the lands liable therefor situate within the said municipality, as appears by the last revised assessment roll of the municipality for the year in which such special rate is imposed respectively, which said special rate shall be collected annually by the collector of taxes for the corporation, at the same time and in the same manner as other rates

5. The signatures to the interest coupons attached to the debentures may be written, stamped, lithographed or engraved.

6. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. This by-law shall take effect upon the day of the final passing thereof.

Passed the ninth day of January, 1922.

(Seal)

(Sgd.) W. J. GARDHOUSE, *Reeve.*  
(Sgd.) S. BARRATT, *Clerk.*

Certified a true copy.

Dated this, the 24th day of October, 1922.

S. BARRATT, *Clerk.*





No. 12.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Township  
of Etobicoke.

1st Reading,	16th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Reprinted as amended by the Private Bills  
Committee.*)

MR. GODFREY.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.



# BILL

An Act respecting the City of St. Thomas.

**W**HEREAS the Amasa Wood Hospital was erected and Preamble presented to the City of St. Thomas as a public hospital in the year 1892, but by reason of the growth and increased population of the city it is not now large enough for the public requirements, and increased hospital accommodation is urgently required; and whereas the people of the city are desirous of perpetuating the memory of the men and women of the city who made the supreme sacrifice in the late war, by the erection of a Memorial Hospital on the site of The Amasa Wood Hospital and Nurses' Home, and the council of the city with the assent of the qualified electors have duly passed By-law No. 2468 providing for the issue of debentures to the amount of \$100,000 for such purpose; and whereas certain legacies and bequests have been given and made and certain monies granted and set aside for the construction, equipment and maintenance of a hospital proposed to be erected by the Corporations of the City of St. Thomas and County of Elgin jointly, called The Elgin Memorial Hospital, but the By-law submitted to the qualified electors of the county for the said purpose was defeated, and that proposal is now defunct, and the persons having control of the said legacies, bequests and other monies are desirous of paying over the same for the use and benefit of the Memorial Hospital to be erected under the provisions of this Act; and whereas the Corporation of the City of St. Thomas has by its petition prayed that an Act may be passed, validating and confirming the said By-law No. 2468, and authorizing the erection, operation and maintenance of the said Memorial Hospital, and that the same shall be controlled and managed by the same Board of Trustees as the Amasa Wood Hospital, but that the name of the Board be changed to "The Memorial Hospital Trust," and that such powers as may be deemed expedient be granted to the said Board; and whereas the said Corporation has also by its petition prayed that an Act may be passed providing that

members of the City Council be elected for the term of two years instead of one year, six members retiring one year and five members the next; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

By-law No.  
2468 con-  
firmed.

**1.** By-law No. 2468 of the Municipal Corporation of the City of St. Thomas authorizing the issue of debentures to an amount of \$100,000 for the erection of a Memorial Hospital on the site of the Amasa Wood Hospital and Nurses' Home, set forth in Schedule "A" to this Act, is hereby ratified and confirmed, and declared to be legal, valid and binding.

Construction  
and main-  
tenance of  
Memorial  
Hospital.

**2.** The Council of the Corporation of the City of St. Thomas may erect, equip and maintain a Memorial Hospital to include a residence for nurses, on the site of the Amasa Wood Hospital and Nurses' Home, and on any additional lands to be acquired therefor, to be used and operated as a public hospital in the said city, and to perpetuate the memory of the men and women of the city who made the supreme sacrifice in the late war.

Acquisition  
of land and  
alterations  
to Amasa  
Wood  
Hospital.

**3.** The Council of the Corporation of the City of St. Thomas may purchase, or acquire any additional land adjacent to the lands occupied by the Amasa Wood Hospital and Nurses' Home, that may be required for the erection of such Memorial Hospital, and may make any alterations in the Amasa Wood Hospital as may be necessary to connect the two buildings.

Manage-  
ment of  
hospital.

**4.** The control and management of the said Memorial Hospital shall be vested in and exercised by the same Board of Trustees who control and manage the Amasa Wood Hospital, and both hospitals shall be operated by the said Board as one institution, and from and after the passing of this Act such Board of Trustees shall be called "The Memorial Hospital Trust."

1919, c. 123,  
s. 1,  
amended

**5.—(1)** Section 1 of the Act passed in the ninth year of the reign of His Majesty, King George the Fifth, chaptered 123, is amended by striking out the words "The Amasa Wood Hospital Trust" in the last line and inserting in lieu thereof the words "The Memorial Hospital Trust."

1919, c. 123,  
s. 5, amended

**(2)** Section 5 of the said Act is amended by striking out all the words after the word "member" in the third line, and inserting in lieu thereof the words "the City Council

shall appoint some person to fill the vacancy for the unexpired term of the deceased or retiring member."

**6.** All legacies and bequests, contained in the will of any person, and all monies granted or set aside by any person or persons, society or organization payable to, or in trust for or for the benefit of The Elgin Memorial Hospital, may be paid to the said Board for the benefit of or in trust for the Memorial Hospital constructed under the authority of this Act, and all executors, trustees and other persons holding or controlling such legacies, bequests or monies may pay and are hereby authorized to pay the same over to the Memorial Hospital Trust for the use and benefit of this Memorial Hospital.

Legacies and  
monies to  
be paid over  
to Board

**7.** It shall be lawful for the Councils of the Corporation of the County of Elgin, and of the several municipalities within the county from time to time to contribute a sum or sums of money, for the construction or enlargement of the said hospital, or towards the maintenance thereof, or of any patients therein, and to pass by-laws and resolutions in the exercise of the powers hereby conferred, and the Council of the Corporation of the City of St. Thomas may from time to time by by-law grant representation on the Board of Trustees to the Corporation of the County or of any local municipality within the county, making a substantial grant for the construction or enlargement of the said hospital, and may also by by-law provide for the election by the electors of the City of St. Thomas of additional members of the said Board not exceeding three, as occasion may require.

Grants by  
municipal-  
ities

**8.** All persons and corporations, including municipal corporations, shall have full and unrestricted power from time to time to enter into agreements with the said Board of Trustees to pay or to contribute to the cost of the treatment, care and maintenance in the said hospital of veterans of the Great War, residents of the County of Elgin at the time of enlistment or of any municipality therein, who may require such treatment and care, and such agreements shall be valid and binding upon such municipal corporation, and future councils thereof, without obtaining the assent of the electors thereto.

Agreements  
for care of  
war  
veterans  
authorized

**9.** The said Board of Trustees, from time to time constituting "The Memorial Hospital Trust," may carry on and operate the said Memorial Hospital and the Amasa Wood Hospital as a general hospital and as one institution, and may maintain a residence and training school for nurses, and may prescribe rules, and periods of training for and issue certificates of fitness or diplomas to nurses, educated therein and

General  
hospital;  
city to pay  
deficits.

graduating therefrom, and generally do all things necessary or usual to be done in the maintenance and operation of a general hospital; and the Corporation of the City of St. Thomas shall provide in the yearly estimates and raise by taxation whatever sums are required, over and above the fees, charges and other monies received by the Board, to meet the current yearly expenditure in the maintenance and operation of the said hospitals.

Authority  
to issue de-  
bentures for  
capital  
expenditure,  
1922, c. 72.

**10.** The Corporation of the City of St. Thomas may from time to time, by by-law passed with the assent of the electors qualified to vote on money by-laws, in accordance with the provisions of *The Consolidated Municipal Act, 1922*, raise by the issue of debentures, such sums as may be necessary, for renewing, improving, enlarging or adding to any of said hospital buildings or the equipment thereof, and such debentures shall bear such rate of interest as the council may determine and shall be payable at any time within twenty years from the date of issue.

Provisions of  
1919, c. 123,  
to apply  
where not  
inconsistent.

**11.** All the provisions of the Act passed in the ninth year of the reign of His Majesty, King George the Fifth, chaptered 123, which are not inconsistent with this Act, shall apply to the said Memorial Hospital, and the Board of Trustees thereof, and the control, management and government of the same as if the same were incorporated in this Act.

Term of  
councillors  
and mode of  
election,  
1922, c. 72.

**12.** Notwithstanding anything in *The Consolidated Municipal Act, 1922*, contained, from and after the passing of this Act, the members of the Council of the City of St. Thomas, shall be elected for a term of two years, and at the annual municipal elections to be held for the year 1924, the six aldermen receiving the highest number of votes shall be declared elected for two years and the remaining five aldermen for one year, and thereafter, each alderman shall hold office for two years from the date of the organization of the council in the year of his election, and until his successor has been elected and installed.

Commence-  
ment of Act

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

## BY-LAW No. 2468.

A by-law to authorize the issue of debentures to the amount of \$100,000, for the erection of a Memorial Hospital on the site of the Amasa Wood Hospital and Nurses' Home.

Whereas, it is proposed to erect a Memorial Hospital in the City of St. Thomas, on the site of the Amasa Wood Hospital and Nurses' Home, as a memorial to the men who fell during the Great War, and it is expedient for the Corporation of the said city to grant the sum of \$100.00 to aid in the construction and establishment of the same, and for the purchase of additional land if necessary.

And whereas, for the purpose aforesaid it is necessary to raise by way of loan upon the credit of the Corporation of the City of St. Thomas, the sum of \$100,000 and to issue debentures of the city therefor, and to provide for payment of the same and the interest thereon.

And whereas, the Municipal Council of the City of St. Thomas has resolved that such debentures shall be payable in thirty equal annual instalments with interest payable half yearly at the rate of six per cent. per annum, so that the said instalments shall be such that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years.

And whereas, it will be necessary to raise annually by a special rate sufficient therefor on all the rateable property in the City of St. Thomas, during the said term of thirty years the currency of the debentures to be issued under the authority of this by-law, the sum of \$7,264.90, for the payment of the said debt and interest.

And whereas, the whole rateable property of the Municipality of the City of St. Thomas, according to the last revised Assessment Roll of the said city being for the year 1921 is the sum of \$14,631,138.00.

And whereas, the existing debenture debt of the City of St. Thomas, is the sum of \$1,298,763.95 as against which the Corporation has on hand sinking funds to the amount of \$32,556.15. The above amount of debenture debt is exclusive of the sum of \$50,000 of debentures of the St. Thomas Street Railway Company which have been guaranteed by the municipality, and is exclusive also of local improvement debentures secured by special rates and assessments which last mentioned debt amounts to the sum of \$498,025.59 all of which is guaranteed by the municipality, and as against which the Corporation has on hand sinking funds to the amount of \$2,753.02, and no sum is in arrears either for principal or interest for or on account of the said debt.

And whereas, in addition to all other rates to be levied each year during the said term of thirty years in the City of St. Thomas, it will be necessary to raise annually by a special rate therefor on all the rateable property in the said City of St. Thomas the sum of \$7,264.90 to pay the several instalments of principal and interest on the said debt as they respectively become due and payable.

Therefore, the Municipal Council of the City of St. Thomas enacts as follows:

1. It shall be lawful for the Mayor of the City of St. Thomas for the purpose aforesaid to borrow from any person or persons, body or bodies corporate who may be willing to advance the same upon the security of the debentures hereinafter mentioned a sum of One Hundred Thousand Dollars in sums of not less than Fifty Dollars each bearing interest at the rate of six per cent. per annum payable in the manner, for the amounts and at the time hereinafter set forth.

2. The said debentures shall have coupons attached thereto for the interest or the interest may be included in the said debentures and the same shall be payable half yearly at the office of the City Treasurer in the City of St. Thomas.

3. The said debentures shall be payable in annual instalments within thirty years from the date of the issue thereof, at the office of the said City Treasurer, such instalments to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years, as is hereinafter particularly set forth.

4. The said debentures shall bear interest at the rate of six per cent. per annum from the date of the issue thereof, and the same shall be payable half yearly.

5. It shall be lawful for the Mayor of the said City of St. Thomas, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued, and to cause the same and the interest coupons thereto attached (if any) to be signed by the Treasurer of the City of St. Thomas, and the Clerk of the said city is hereby authorized and instructed to attach the seal of the said city to the said debentures.

6. There shall be raised and levied in each and every year for thirty years the currency of the debentures to be issued under the authority of this by-law, by a special rate sufficient therefor on all the rateable property in the said City of St. Thomas, over and above and in addition to all other rates and taxes the sum of \$7,264.90 for payment of the several instalments of principal and interest accruing due on the said debt as the same become respectively payable in the years hereinafter mentioned, and the sums to be so raised and levied for principal and interest in each year during the said period are as follows:

	Interest	Principal	Total
1.....	6,000 00	1,264 90	7,264 90
2.....	5,924 12	1,340 78	7,264 90
3.....	5,843 67	1,421 23	7,264 90
4.....	5,758 40	1,506 50	7,264 90
5.....	5,668 00	1,596 90	7,264 90
6.....	5,572 20	1,692 70	7,264 90
7.....	5,470 63	1,794 27	7,264 90
8.....	5,362 98	1,901 92	7,264 90
9.....	5,248 85	2,016 05	7,264 90
10.....	5,127 89	2,137 01	7,264 90
11.....	4,999 67	2,265 23	7,264 90
12.....	4,863 70	2,401 14	7,264 90
13.....	4,719 69	2,545 21	7,264 90
14.....	4,566 98	2,697 92	7,264 90
15.....	4,405 10	2,859 80	7,264 90
16.....	4,233 51	3,031 39	7,264 90
17.....	4,051 63	3,213 27	7,264 90
18.....	3,858 83	3,406 07	7,264 90
19.....	3,654 47	3,610 43	7,264 90
20.....	3,437 84	3,827 06	7,264 90
21.....	3,208 22	4,056 68	7,264 90
22.....	2,964 82	4,300 08	7,264 90
23.....	2,706 82	4,558 08	7,264 90
24.....	2,433 33	4,831 57	7,264 90
25.....	2,143 44	5,121 46	7,264 90
26.....	1,836 15	5,428 75	7,264 90
27.....	1,510 43	5,754 47	7,264 90
28.....	1,165 16	6,099 74	7,264 90
29.....	799 18	6,465 72	7,264 90
30.....	411 23	6,853 67	7,264 90

7. A special rate on the dollar on the assessed value of all the rateable property in the said City of St. Thomas, over and above and in addition

to all other rates and taxes and which special rate shall be sufficient to produce in each year the sum of \$7,264.90 shall be annually levied and collected from the year 1922 to 1951, inclusive (unless the said debentures shall be sooner paid) for the purpose of paying the said sum of \$100,000, and the interest thereon as hereinbefore specified.

8. The debentures to be issued under the authority of this by-law shall be issued within two years from the date of the final passing thereof.

9. This by-law shall be submitted to the electors of the City of St. Thomas entitled to vote on money by-laws on Monday the fourteenth day of November, 1921, and on the said day the votes of the said electors shall be taken thereon.

Read a first and second time this twentieth day of October, 1921.

Read a third time and finally passed this eighth day of December, A.D. 1921.

W. B. DOHERTY,  
*City Clerk.*

F. L. BRINKMAN,  
*Mayor.*

[Seal]

No. 13.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the  
City of St. Thomas.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. MACVICAR.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act respecting the City of St. Thomas.

**W**HEREAS the Amasa Wood Hospital was erected and Preamble. presented to the City of St. Thomas as a public hospital in the year 1892, but by reason of the growth and increased population of the city it is not now large enough for the public requirements, and increased hospital accommodation is urgently required; and whereas the people of the city are desirous of perpetuating the memory of the men and women of the city who made the supreme sacrifice in the late war, by the erection of a Memorial Hospital on the site of The Amasa Wood Hospital and Nurses' Home, and the council of the city with the assent of the qualified electors have duly passed By-law No. 2468 providing for the issue of debentures to the amount of \$100,000 for such purpose; and whereas certain legacies and bequests have been given and made and certain monies granted and set aside for the construction, equipment and maintenance of a hospital proposed to be erected by the Corporations of the City of St. Thomas and County of Elgin jointly, called The Elgin Memorial Hospital, but the By-law submitted to the qualified electors of the county for the said purpose was defeated, and that proposal is now defunct, and the persons having control of the said legacies, bequests and other monies are desirous of paying over the same for the use and benefit of the Memorial Hospital to be erected under the provisions of this Act; and whereas the Corporation of the City of St. Thomas has by its petition prayed that an Act may be passed, validating and confirming the said By-law No. 2468, and authorizing the erection, operation and maintenance of the said Memorial Hospital, and that the same shall be controlled and managed by the same Board of Trustees as the Amasa Wood Hospital, but that the name of the Board be changed to "The Memorial Hospital Trust," and that such powers as may be deemed expedient be granted to the said Board; and whereas the said Corporation has also by its petition prayed that an Act may be passed providing that

members of the City Council be elected for the term of two years instead of one year, six members retiring one year and five members the next; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

By-law No.  
2468 con-  
firmed.

**1.** By-law No. 2468 of the Municipal Corporation of the City of St. Thomas authorizing the issue of debentures to an amount of \$100,000 for the erection of a Memorial Hospital on the site of the Amasa Wood Hospital and Nurses' Home, set forth in Schedule "A" to this Act, is hereby ratified and confirmed, and declared to be legal, valid and binding.

Construction  
and main-  
tenance of  
Memorial  
Hospital.

**2.** The Council of the Corporation of the City of St. Thomas may erect, equip and maintain a Memorial Hospital to include a residence for nurses, on the site of the Amasa Wood Hospital and Nurses' Home, and on any additional lands to be acquired therefor, to be used and operated as a public hospital in the said city, and to perpetuate the memory of the men and women of the city who made the supreme sacrifice in the late war.

Acquisition  
of land and  
alterations  
to Amasa  
Wood  
Hospital;

**3.** The Council of the Corporation of the City of St. Thomas may purchase, or acquire any additional land adjacent to the lands occupied by the Amasa Wood Hospital and Nurses' Home, that may be required for the erection of such Memorial Hospital, and may make any alterations in the Amasa Wood Hospital as may be necessary to connect the two buildings.

Manage-  
ment of  
hospital.

**4.** The control and management of the said Memorial Hospital shall be vested in and exercised by the same Board of Trustees who control and manage the Amasa Wood Hospital, and both hospitals shall be operated by the said Board as one institution, and from and after the passing of this Act such Board of Trustees shall be called "The Memorial Hospital Trust."

1919, c. 123,  
s. 1,  
amended.

**5.—(1)** Section 1 of the Act passed in the ninth year of the reign of His Majesty, King George the Fifth, chaptered 123, is amended by striking out the words "The Amasa Wood Hospital Trust" in the last line and inserting in lieu thereof the words "The Memorial Hospital Trust."

1919, c. 123,  
s. 5, amended.

**(2)** Section 5 of the said Act is amended by striking out all the words after the word "member" in the third line, and inserting in lieu thereof the words "the City Council

shall appoint some person to fill the vacancy for the unexpired term of the deceased or retiring member."

**6.** All legacies and bequests, contained in the will of any person, and all monies granted or set aside by any person or persons, society or organization payable to, or in trust for or for the benefit of The Elgin Memorial Hospital, may be paid to the said Board for the benefit of or in trust for the Memorial Hospital constructed under the authority of this Act, and all executors, trustees and other persons holding or controlling such legacies, bequests or monies may pay and are hereby authorized to pay the same over to the Memorial Hospital Trust for the use and benefit of this Memorial Hospital.

Legacies and  
moneys to  
be paid over  
to Board.

**7.** It shall be lawful for the Councils of the Corporation of the County of Elgin, and of the several municipalities within the county from time to time to contribute a sum or sums of money, for the construction or enlargement of the said hospital, or towards the maintenance thereof, or of any patients therein, and to pass by-laws and resolutions in the exercise of the powers hereby conferred, and the Council of the Corporation of the City of St. Thomas may from time to time by by-law grant representation on the Board of Trustees to the Corporation of the County or of any local municipality within the county, making a substantial grant for the construction or enlargement of the said hospital, and may also by by-law provide for the election by the electors of the City of St. Thomas of additional members of the said Board not exceeding three, as occasion may require.

Grants by  
municipal-  
ities.

**8.** All persons and corporations, including municipal corporations, shall have full and unrestricted power from time to time to enter into agreements with the said Board of Trustees to pay or to contribute to the cost of the treatment, care and maintenance in the said hospital of veterans of the Great War, residents of the County of Elgin at the time of enlistment or of any municipality therein, who may require such treatment and care, and such agreements shall be valid and binding upon such municipal corporation, and future councils thereof, without obtaining the assent of the electors thereto.

Agreements  
for care of  
war  
veterans  
authorized.

**9.** The said Board of Trustees, from time to time constituting "The Memorial Hospital Trust," may carry on and operate the said Memorial Hospital and the Amasa Wood Hospital as a general hospital and as one institution, and may maintain a residence and training school for nurses, and may prescribe rules, and periods of training for and issue certificates of fitness or diplomas to nurses, educated therein and

General  
hospital;  
city to pay  
deficits.

graduating therefrom, and generally do all things necessary or usual to be done in the maintenance and operation of a general hospital; and the Corporation of the City of St. Thomas shall provide in the yearly estimates and raise by taxation whatever sums are required, over and above the fees, charges and other monies received by the Board, to meet the current yearly expenditure in the maintenance and operation of the said hospitals.

Authority  
to issue de-  
bentures for  
capital  
expenditure,  
1922, c. 72.

**10.** The Corporation of the City of St. Thomas may from time to time, by by-law passed with the assent of the electors qualified to vote on money by-laws, in accordance with the provisions of *The Consolidated Municipal Act, 1922*, raise by the issue of debentures, such sums as may be necessary, for renewing, improving, enlarging or adding to any of said hospital buildings or the equipment thereof, and such debentures shall bear such rate of interest as the council may determine and shall be payable at any time within twenty years from the date of issue.

Provisions of  
1919, c. 123,  
to apply  
where not  
inconsistent.

**11.** All the provisions of the Act passed in the ninth year of the reign of His Majesty, King George the Fifth, chaptered 123, which are not inconsistent with this Act, shall apply to the said Memorial Hospital, and the Board of Trustees thereof, and the control, management and government of the same as if the same were incorporated in this Act.

Term of  
councillors  
and mode of  
election,  
1922, c. 72.

**12.** The Council of the Corporation may with the assent of the municipal electors, pass a by-law providing that the members of the Council of the said Corporation shall be elected for a term of two years, and *that* at the annual municipal elections to be held for the year 1924, the six aldermen receiving the highest number of votes shall be declared elected for two years and the remaining five aldermen for one year, and thereafter, each alderman shall hold office for two years from the date of the organization of the Council in the year of his election, and until his successor has been elected and installed.

Commence-  
ment of Act

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

## BY-LAW No. 2468.

A by-law to authorize the issue of debentures to the amount of \$100,000, for the erection of a Memorial Hospital on the site of the Amasa Wood Hospital and Nurses' Home.

Whereas, it is proposed to erect a Memorial Hospital in the City of St. Thomas, on the site of the Amasa Wood Hospital and Nurses' Home, as a memorial to the men who fell during the Great War, and it is expedient for the Corporation of the said city to grant the sum of \$100,000 to aid in the construction and establishment of the same, and for the purchase of additional land if necessary.

And whereas, for the purpose aforesaid it is necessary to raise by way of loan upon the credit of the Corporation of the City of St. Thomas, the sum of \$100,000 and to issue debentures of the city therefor, and to provide for payment of the same and the interest thereon.

And whereas, the Municipal Council of the City of St. Thomas has resolved that such debentures shall be payable in thirty equal annual instalments with interest payable half yearly at the rate of six per cent. per annum, so that the said instalments shall be such that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years.

And whereas, it will be necessary to raise annually by a special rate sufficient therefor on all the rateable property in the City of St. Thomas, during the said term of thirty years the currency of the debentures to be issued under the authority of this by-law, the sum of \$7,264.90, for the payment of the said debt and interest.

And whereas, the whole rateable property of the Municipality of the City of St. Thomas, according to the last revised Assessment Roll of the said city being for the year 1921 is the sum of \$14,631,138.00.

And whereas, the existing debenture debt of the City of St. Thomas, is the sum of \$1,298,763.95 as against which the Corporation has on hand sinking funds to the amount of \$32,556.15. The above amount of debenture debt is exclusive of the sum of \$50,000 of debentures of the St. Thomas Street Railway Company which have been guaranteed by the municipality, and is exclusive also of local improvement debentures secured by special rates and assessments which last mentioned debt amounts to the sum of \$498,025.59 all of which is guaranteed by the municipality, and as against which the Corporation has on hand sinking funds to the amount of \$2,753.02, and no sum is in arrears either for principal or interest for or on account of the said debt.

And whereas, in addition to all other rates to be levied each year during the said term of thirty years in the City of St. Thomas, it will be necessary to raise annually by a special rate therefor on all the rateable property in the said City of St. Thomas the sum of \$7,264.90 to pay the several instalments of principal and interest on the said debt as they respectively become due and payable.

Therefore, the Municipal Council of the City of St. Thomas enacts as follows:

1. It shall be lawful for the Mayor of the City of St. Thomas for the purpose aforesaid to borrow from any person or persons, body or bodies corporate who may be willing to advance the same upon the security of the debentures hereinafter mentioned a sum of One Hundred Thousand Dollars in sums of not less than Fifty Dollars each bearing interest at the rate of six per cent. per annum payable in the manner, for the amounts and at the time hereinafter set forth.

2. The said debentures shall have coupons attached thereto for the interest or the interest may be included in the said debentures and the same shall be payable half yearly at the office of the City Treasurer in the City of St. Thomas.

3. The said debentures shall be payable in annual instalments within thirty years from the date of the issue thereof, at the office of the said City Treasurer, such instalments to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years, as is hereinafter particularly set forth.

4. The said debentures shall bear interest at the rate of six per cent. per annum from the date of the issue thereof, and the same shall be payable half yearly.

5. It shall be lawful for the Mayor of the said City of St. Thomas, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued, and to cause the same and the interest coupons thereto attached (if any) to be signed by the Treasurer of the City of St. Thomas, and the Clerk of the said city is hereby authorized and instructed to attach the seal of the said city to the said debentures.

6. There shall be raised and levied in each and every year for thirty years the currency of the debentures to be issued under the authority of this by-law, by a special rate sufficient therefor on all the rateable property in the said City of St. Thomas, over and above and in addition to all other rates and taxes the sum of \$7,264.90 for payment of the several instalments of principal and interest accruing due on the said debt as the same become respectively payable in the years hereinafter mentioned, and the sums to be so raised and levied for principal and interest in each year during the said period are as follows:

	Interest	Principal	Total
1.....	6,000 00	1,264 90	7,264 90
2.....	5,924 12	1,340 78	7,264 90
3.....	5,843 67	1,421 23	7,264 90
4.....	5,758 40	1,506 50	7,264 90
5.....	5,668 00	1,596 90	7,264 90
6.....	5,572 20	1,692 70	7,264 90
7.....	5,470 63	1,794 27	7,264 90
8.....	5,362 98	1,901 92	7,264 90
9.....	5,248 85	2,016 05	7,264 90
10.....	5,127 89	2,137 01	7,264 90
11.....	4,999 67	2,265 23	7,264 90
12.....	4,863 76	2,401 14	7,264 90
13.....	4,719 69	2,545 21	7,264 90
14.....	4,566 98	2,697 92	7,264 90
15.....	4,405 10	2,859 80	7,264 90
16.....	4,233 51	3,031 39	7,264 90
17.....	4,051 63	3,213 27	7,264 90
18.....	3,858 83	3,406 07	7,264 90
19.....	3,654 47	3,610 43	7,264 90
20.....	3,437 84	3,827 06	7,264 90
21.....	3,208 22	4,056 68	7,264 90
22.....	2,964 82	4,300 08	7,264 90
23.....	2,706 82	4,558 08	7,264 90
24.....	2,433 33	4,831 57	7,264 90
25.....	2,143 44	5,121 46	7,264 90
26.....	1,836 15	5,428 75	7,264 90
27.....	1,510 43	5,754 47	7,264 90
28.....	1,165 16	6,099 74	7,264 90
29.....	799 18	6,465 72	7,264 90
30.....	411 23	6,853 67	7,264 90

7. A special rate on the dollar on the assessed value of all the rateable property in the said City of St. Thomas, over and above and in addition

to all other rates and taxes and which special rate shall be sufficient to produce in each year the sum of \$7,264.90 shall be annually levied and collected from the year 1922 to 1951, inclusive (unless the said debentures shall be sooner paid) for the purpose of paying the said sum of \$100,000, and the interest thereon as hereinbefore specified.

8. The debentures to be issued under the authority of this by-law shall be issued within two years from the date of the final passing thereof.

9. This by-law shall be submitted to the electors of the City of St. Thomas entitled to vote on money by-laws on Monday the fourteenth day of November, 1921, and on the said day the votes of the said electors shall be taken thereon.

Read a first and second time this twentieth day of October, 1921.

Read a third time and finally passed this eighth day of December, A.D. 1921.

W. B. DOHERTY,  
*City Clerk.*

F. L. BRINKMAN,  
*Mayor.*

[Seal]

No. 13.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the  
City of St. Thomas.

1st Reading,	16th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the  
Private Bills Committee.)*

MR. MACVICAR.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to replace the name of Andrew Ruppert on the Register of the College of Physicians and Surgeons of Ontario.

**W**HEREAS Andrew Ruppert of the City of Toronto, in Preamble, the Province of Ontario, obtained his medical education at Trinity Medical School, Toronto, and his name was on the 12th of June, 1896, placed upon the register of the College of Physicians and Surgeons of Ontario; and whereas the said Andrew Ruppert practised his profession as a medical practitioner in the Province of Ontario for some twenty-three years; and whereas in the year 1919 the said Andrew Ruppert was called before the discipline committee of the Council of the said College of Physicians and Surgeons of Ontario to ascertain the facts that the said Andrew Ruppert a registered medical practitioner was alleged to have been guilty of infamous or disgraceful conduct in a professional sense upon a charge that the said Andrew Ruppert was on the 19th day of November, 1918, convicted by George Taylor Denison, Esq., Police Magistrate of the City of Toronto, in giving four separate prescriptions each for "one quart of liquor in evasion or violation of section 51 of *The Ontario Temperance Act*, there being no actual need therefor as required by the said Act"; and whereas the said Andrew Ruppert had given four prescriptions for one quart each of liquor he believing that the patients to whom the said prescriptions were given were in need of the said liquor they suffering from influenza during the worst period of an epidemic of the said disease, he also believing that the said liquor was a proper medicine to give in respect of the said disease; and whereas on the hearing of the said charges before the said George Taylor Denison, Esq., the said Andrew Ruppert though believing that the prescriptions had been properly given did under the advice of counsel plead guilty to the said charges and was fined the sum of Five Hundred Dollars and Costs in respect thereof; and whereas the said fine and costs were duly paid and whereas the Council of the said College of Physicians and Surgeons of Ontario after hearing the said charge did on the 26th day of June, 1919, erase the name of the said Andrew Ruppert

from the register of the College of Physicians and Surgeons of Medical Practitioners registered under the provisions of *The Ontario Medical Act*; and whereas the said Andrew Ruppert has applied to the Council of the College of Physicians and Surgeons of Ontario to have his name restored to the said register and which application was in the year 1921 referred to a committee of the said Council and the said Andrew Ruppert has not received any notice of a meeting of the said committee and cannot tell why the matter is not taken up by the said committee; and whereas the said Andrew Ruppert has been prevented from practising his profession for over some three years; and whereas the said Andrew Ruppert has prayed that an Act may be passed restoring his name to the register of the College of Physicians and Surgeons of Ontario, in order that he may resume his practice as a medical practitioner in Ontario; and whereas the said Andrew Ruppert having paid the penalty in connection with the said charge and the circumstances appearing to be exceptional, it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Name of  
Andrew  
Ruppert to  
be restored  
to College  
Register.

1. The College of Physicians and Surgeons shall, upon payment of the annual fees for the years 1919, 1920, 1921 and 1922 (if any), restore the name of Andrew Ruppert to the Register of the said College.



No. 14.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to replace the name of Andrew  
Ruppert on the Register of the College  
of Physicians and Surgeons of  
Ontario.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. HOWTH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to incorporate the City of York City.

**W**HEREAS Lawrence Hayden Baldwin, Henry C. Fortier, Thomas Donelly, Frank Woods, John Watson, John O'Brien and other persons, inhabitants and ratepayers of that part of the Township of York in the County of York, hereinafter particularly described have by petition set forth that that part of the said Township of York hereinafter more particularly described is a closely settled district, is largely urban in its character and that the inhabitants thereof number twenty-eight thousand persons and that it requires a city municipal administration instead of being administered municipally as part of a township: and whereas in view of said conditions, said petitioners have prayed that an Act be passed to separate the said district hereinafter particularly described and incorporate it as a City under the name of "York City"; and whereas it is expedient to grant the prayer of the said petitioners;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The inhabitants of that portion of the Township of York, described in section 2, are hereby constituted a corporation or body politic under the name of the Corporation of the City of York City, separate and apart from the Township of York, and as such shall enjoy and possess all the rights, powers and privileges of cities under *The Consolidated Municipal Act, 1922*, together with all other powers or privileges that are now vested in the present municipality of the Township of York in so far as the same may be applicable.

2. The said City of York City shall comprise and consist of that part of the said Township of York described as follows: Commencing at the centre of Keele Street where it intersects the northerly limit of the City of Toronto; thence in an easterly and northerly direction following the boundary of the City of Toronto and its various courses and windings to the intersection with the southerly limit of the Township

of North York; thence westerly and along the southerly limit of the Township of North York to the centre limit of Keele Street; thence southerly along the centre limit of Keele Street to the centre line of Eglinton Avenue; thence westerly and along the said centre line of Eglinton Avenue to the centre line of that portion of Keele Street running southerly therefrom; thence southerly along the last mentioned line to the place of beginning.

First  
Council.

**3.** The first council of the said city shall consist of a Mayor who shall be the head thereof and twelve aldermen elected by general vote over the whole municipality and thereafter in accordance with *The Consolidated Municipal Act, 1922*.

Nomination  
meeting and  
election.

**4.** William A. Clarke, Esq., Clerk of the Township of York (or the acting Clerk of the said Township for the time being), is hereby appointed returning officer for the purpose of the first election and he shall hold a meeting for the nomination of candidates for the offices of Mayor and Aldermen at twelve o'clock noon on the Sixteenth day of June, 1923 at Huron Street School in the Township of York or at such other place in such City as may be selected by the Returning Officer and in case of the absence of the person appointed as Returning Officer the electors present shall choose from among themselves a Chairman, who shall have all the powers of a Returning Officer and the polling if a poll is required shall be held on the Twenty-third day of June, 1923 and the Returning Officer shall give at least six days' notice of said Election by posting the same up in six conspicuous places in said City of York City.

Polling  
Subdivisions;  
Voters'  
lists.

**5.** The polling sub-divisions for said election shall be the same as nearly as may be as at the last municipal election and if the boundary lines of the new municipality should divide any polling sub-division that portion of said polling sub-division which lies within the limits hereinbefore described, shall for the purpose of the vote be deemed a polling sub-division and when a polling sub-division is so divided the clerk of the township of York shall strike off the list the names of all voters not qualified to vote in that part of the polling sub-division lying within the territory hereinbefore described. The last revised list of voters shall be the list used at said election.

Appoint-  
ment of  
Deputy  
Returning  
Officers.

**6.** The said Returning Officer by his warrant shall appoint a deputy returning officer for each of the polling sub-divisions and such returning officer and each deputy returning officer shall before the holding of the said election take the oath or affirmation required by law, and shall be subject to all the provisions of *The Consolidated Municipal Act, 1922* applicable to returning officers and deputy returning officers at elections

in cities in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on city clerks in respect to elections in cities.

**7.** The provisions of *The Consolidated Municipal Act, 1922*, shall apply to the said election. Provisions 1922 c. 72, to apply

**8.** The qualification required of candidates at the first election shall be the qualification required under *The Consolidated Municipal Act, 1922*. Qualification of candidates.

**9.** The mayor and aldermen shall hold office until the thirty-first day of December, 1923, or until their successors have been elected and have taken the declaration of qualification and of office. Term of Office.

**10.** The first meeting of the council shall be held at twelve o'clock noon on the Thirtieth day of June, 1923, at the place where the nomination meeting was held. First Meeting.

**11.** Until the thirty-first day of December, 1923, the town shall be represented in the Council of the County of York by the Mayor and three Councillors, the Councillors to be named by the Council of the City of York City from among the Aldermen thereof and at the end of the year 1923 the said City of York City shall be separated from the County of York in the manner provided by *The Consolidated Municipal Act, 1922*. Representation in County Council; separation from County.

**12.** The Township of York shall furnish the Council of the City of York City with a full and complete list of all lands in arrear for taxes at the time of the coming in force of this Act and the Mayor and the Treasurer of the City of York City shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the said officers in the Township of York. The Reeve and officers of the Township of York shall have full power and authority to make deeds for lands heretofore sold by the Treasurer of the Township of York for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed. Collections of arrears of taxes.

**13.** The assessment roll when completed by the assessors of the Township of York for the year 1923, so far as the same affects property within the limits of the said City of York City shall be valid to all intents and purposes as if the said assessors had been appointed by the council of the City of York City and the Township of York shall furnish to the Council of the City of York City for the organization of the Copy of Assessment Roll for 1922 to be furnished Appeals.

said City of York City a true and complete copy of the said assessment roll if the same has then been completed or as soon as possible after the same has been completed and the Council of the City of York City shall be the Court of Revision to hear any appeals which may be made against the said assessment and any appeals that may have been made to the Township of York shall be deemed to have been made to the City of York City providing the same has not already been revised by the Court of Revision for the Township of York.

Adjustment  
of assets  
and  
liabilities.

**14.** The provisions of *The Consolidated Municipal Act, 1922*, as to matters consequent on the erection of a district into a village or town including the adjustment of assets, debts, arrears of taxes, contracts and liabilities shall apply except:

(a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board.

(b) The taxes for the year 1923 on the rateable property within the limits of the said City of York City shall be levied by and belong to the City of York City and the City of York City shall pay over to the Township of York such portion of the taxes collected in 1923 as may be fixed and determined by the Ontario Railway and Municipal Board. The expenditures and liabilities for the year 1923 shall be considered by the said Board in determining the amount payable to the Township of York.

(c) The said Board for the purpose of this Act shall be deemed to be the Board of Arbitrators appointed under *The Consolidated Municipal Act, 1922* and the award of the Board shall be final and conclusive and without appeal.

Authority  
to issue  
debentures  
for payment  
of debts  
owed  
Township  
of York.

**15.** For the purpose of providing moneys which may be required for the payment of any debt which may be found due or owing by the City of York City to the Township of York, the Municipal Council of the City of York City may issue debentures payable within a period not exceeding twenty years and bearing such rate of interest as may be determined by the said council to pay such debt, and it shall not be necessary to obtain the assent of the electors to any by-law for the issuing of such debentures.



**16.** That the School Sections in said City shall continue <sup>School Sections Board of Education</sup> as they are at present until the municipal election to be held for the year 1924 and at the municipal election for that year the Clerk of the City of York City as Returning Officer, shall cause an election to be held under *The Public Schools Act, 1920* and *The Consolidated Municipal Act, 1922*, of a Board of Education for said City of York City, the number of Trustees to be the number required by the Statute in that behalf.

**17.** All expenses incurred in obtaining this Act, including <sup>Expenses of Act.</sup> the furnishing of any documents, copies of papers, writings, deeds, the remuneration of the Clerk of the Township of York for services under this Act or any matter whatsoever required by the clerk or other officer of the said City of York City or otherwise, shall be borne by the said City of York City and paid by it to any person entitled thereto.





No. 15.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate the City  
of York City.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading	1923.

*(Private Bill).*

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.


# BILL

## An Act to incorporate the City of York City.

**W**HEREAS Lawrence Heyden Baldwin, Henry C. Fortier, Thomas Donelly, Frank Woods, John Watson, John O'Brien and other persons, inhabitants and ratepayers of that part of the Township of York in the County of York, hereinafter particularly described have by petition set forth that that part of the said Township of York hereinafter more particularly described is a closely settled district, is largely urban in its character and that the inhabitants thereof number twenty-eight thousand persons and that it requires a city municipal administration instead of being administered municipally as part of a township; and whereas in view of said conditions, said petitioners have prayed that an Act be passed to separate the said district hereinafter particularly described and incorporate it as a City under the name of "York City"; and whereas it is expedient to grant the prayer of the said petitioners; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

**1.** This Act may be cited as *The City of York City Act*, Short title.  
1923.

 **2.—**(1) It shall be the duty of the Corporation of the Township of York within five weeks after the day on which this section comes into force, to submit to the municipal electors in that part of the Township of York described as follows: Commencing at the easterly limit of the right-of-way of the Canadian Pacific Railway where it intersects the northern limit of the City of Toronto west of Keele Street; thence in an easterly and northerly direction following the boundary of the City of Toronto and its various courses and windings to the intersection with the southerly limit of the Township of North York; thence westerly and along the southerly limit of the Township of North York to the centre limit of Keele Street; thence southerly along the centre limit of Keele Street to the centre limit of Eglinton Avenue; thence westerly Question of incorporation—submission to electors.

and along the said centre limit of Eglinton Avenue to the eastern limit of the right-of-way of the Canadian Pacific Railway; thence southerly along the right-of-way of the Canadian Pacific Railway to the place of beginning, the following question:

"Are you in favour of the incorporation of the City of York City?"

Polling sub-  
divisions.

(2) The polling sub-divisions shall be the same as nearly as may be as at the last municipal election, and that part of any polling sub-division which lies *within the* boundary of the lands hereinbefore described, shall for the purpose of the vote be deemed a polling sub-division and when a polling sub-division is so divided the clerk or acting clerk of the Township of York shall strike off the list the names of all voters not qualified to vote in that part of the polling sub-division lying north of such southerly boundary. The Clerk or acting Clerk of the Township of York shall be the returning officer for the taking of the said vote and the *last revised* voters' list shall be the list used in the preparation of the voters' list for the taking of the said vote.

Application  
of 1922, c.  
72.

(3) The provisions of *The Consolidated Municipal Act, 1922* shall apply to the taking of the said vote and the vote on the said question shall be taken on a Saturday.


Commence-  
ment of  
section.

(4) This section shall come into force on the day upon which this Act receives the Royal Assent.

Declaration  
of result of  
vote upon  
question.

**3.** If a majority of those voting vote in the affirmative in answer to the question submitted according to the declaration of the result by the Clerk or acting Clerk of the Township of York, the following sections of this Act shall come into force on the day following such declaration. The declaration shall be made not later than noon of the Tuesday following the taking of the said vote.



Incorporation.

**4.** The inhabitants of that part of the Township of York hereinbefore more particularly described, are hereby constituted a corporation or body politic separate and apart from the Township of York under the name of the Corporation of the City of York City, and as such shall enjoy all the rights and privileges and be subject to all the duties and liabilities appertaining to incorporated cities and the said part of the Township of York hereinbefore more particularly described is hereby detached from the Township of York and shall form a separate and independent city. 


Adjustment  
of assets  
and  
liabilities  
between  
York City  
and Town-  
ship of York.

**5.** The provisions of *The Consolidated Municipal Act, 1922*, as to matters consequent on the erection of a district into a village or town including the adjustment of assets,

debts, arrears of taxes, contracts and liabilities *between York City and the Township of York* shall apply except that:

- (a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board.
- (b) The taxes for the year 1923 on the rateable property within the limits of the said City of York  and the said Township shall pay over to the Town of Mount Dennis such portion of the said taxes as may be agreed upon by the two corporations or in case of dispute  as may be fixed and determined by the Ontario Railway and Municipal Board. The expenditures and liabilities for the year 1923 shall be considered by the said Board in determining the amount payable to the Township of York.
- (c) The said Board for the purpose of this Act shall be deemed to be the Board of Arbitrators appointed under *The Consolidated Municipal Act, 1922* and the award of the Board shall be final and conclusive and without appeal.

**6.** The council of the said city *for the year 1923* shall consist of a mayor who shall be the head thereof and twelve aldermen elected by general vote over the whole municipality and thereafter in accordance with *The Consolidated Municipal Act, 1922*. First Council.

 **7.**—(1) William A. Clarke, Esq., Clerk of the Township of York, or the acting Clerk of the said Township for the time being is hereby appointed returning officer for the purpose of the first election in the City of York City. William A. Clarke appointed returning officer.

(2) A meeting of electors for the nomination of candidates for the offices of Mayor and Councillors for the City of York City shall be held at twelve o'clock noon on the second Saturday following the declaration of the result of the vote on the question at the Public School, known as Huron Street school, in the Township of York of which nomination the returning officer shall give six days' notice by posting the same up in at least six conspicuous places in the said City of York City, and the polling, if a poll is required, shall be held on the next Saturday after such nominations. Nomination meeting: notice.


(3) The returning officer shall preside at the nomination meeting, and in case of his absence the electors present shall Procedure at nomination meeting.

choose from among themselves a chairman to preside at the said nomination, and such chairman shall have all the powers of a returning officer, and the returning officer or chairman shall at the close of the nomination announce the polling places for the said election.

Polling sub-  
divisions.

(4) The polling sub-divisions shall be the same as at the vote on the question.

Provisions  
1922, c. 72  
to apply.

(5) Except as herein otherwise provided, the provisions of *The Consolidated Municipal Act, 1922*, shall apply as if the election were being held under that Act. 

Appoint-  
ment of  
Deputy  
Returning  
Officers.

**8.** The said returning officer by his warrant shall appoint a deputy returning officer for each of the polling sub-divisions and such returning officer and each deputy returning officer shall before the holding of the said election take the oath or affirmation required by law, and shall be subject to all the provisions of *The Consolidated Municipal Act, 1922* applicable to returning officers and deputy returning officers at elections in cities in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on city clerks in respect to elections in cities.


Qualifica-  
tion of  
candidates.

**9.** The qualification required of candidates at the first election shall be the qualification required under *The Consolidated Municipal Act, 1922*.

Term of  
office.

**10.** The mayor and aldermen shall hold office until the thirty-first day of December, 1923, or until their successors have been elected and have taken the declaration of qualification and of office.

First  
meeting of  
Council.

 **11.** The first meeting of the council shall be held at twelve o'clock noon on the Saturday next following the polling and if no poll is required then on the Saturday next following the day of nomination, at the place where the nomination meeting was held.

Application  
of certain  
powers of  
Township  
of York.

**12.** The Corporation of the City of York City shall have and may exercise within its limits the powers conferred on the Township of York by:—

(a) 6 George V; chapter 100, as amended by sections 1 and 2 of 7 George V, chapter 98, and by 9 George V, chapter 114, and

(b) Sections 3 and 4 of 12-13 George V, chapter 139.



**13.** Notwithstanding anything contained in the *Public Schools Act, 1920* and amendments thereto, the board of trustees for the school sections or union school sections in whole or in part comprised within the limits of said city shall continue in office for the year 1923 and until a board of public school trustees for the said city has been elected for the year 1924. Public School Board for 1923.

**14.** The provisions of *The Consolidated Municipal Act, 1922* as between the Corporation of the County of York and York City as to matters consequent on the erection of a town, not being a separated town, into a city including the adjustment of assets and liabilities shall apply except in so far as herein otherwise provided and except that:— Adjustment of assets and liabilities between York City and County of York.

- (a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board.
- (b) The said Board, for the purpose of this Act, shall be deemed to be a Board of Arbitrators appointed under *The Consolidated Municipal Act, 1922* and the award of the Board shall be final and conclusive and without appeal.


**15.** With respect to the administration of justice, the City of York City shall be deemed part of the County of York and the cost of administration of justice shall be adjusted between the said county and the said city and in the event of the said municipalities failing to agree the matter shall be determined by the arbitration of the Ontario Railway and Municipal Board and the award of the Board shall be final and conclusive and without appeal. Administration of justice.

**16.** The incorporation of York City shall not affect the Toronto and York Roads Commission appointed under *The Ontario Highways Act, 1915* and amending Acts and the said City of York City shall, until the expiration of the term of office of the present members of the said commission, December 31st, 1925, (and until such time as a new commission is organized or a new arrangement entered into) be deemed a part of the County of York and shall pay over to the County of York towards the construction and maintenance of good roads at the rate of 15.8 per cent. of the total expenditure of the County of York for highway improvements on roads in the suburban area, and the county shall allow to the said city a rebate each year of the sum of \$1,200 for the maintenance by the said city of the county road system situate within the limits of the said city. Toronto and York Roads Commission.

Provincial  
highways.

**17.** The City of York City shall for the purpose of contributing to the construction and maintenance of Provincial highways, be deemed part of the County of York and shall pay to the County of York \_\_\_\_\_ per cent. of the contribution of the County of York to provincial highways.

Application  
1922, c. 72

**18.** The provisions of *The Consolidated Municipal Act, 1922*, relating to matters consequent on the formation of new municipal corporations, and all other provisions of *The Consolidated Municipal Act, 1922*, except so far as is herein otherwise provided, shall apply to the said Corporation of the City of York City in the same manner as if the said city had been erected into a city under the provisions of *The Consolidated Municipal Act, 1922*. 

Collections  
of arrears  
of taxes

**19.** The Township of York shall furnish the Council of the City of York City with a full and complete list of all lands in arrear for taxes at the time of the coming in force of this Act and the Mayor and the Treasurer of the City of York City shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the *reeve and proper officers* in the Township of York. The Reeve and officers of the Township of York shall have full power and authority to make deeds for lands heretofore sold by the Treasurer of the Township of York for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed.

Copy of  
Assessment  
Roll for  
1922 to be  
furnished,  
Appeals.

**20.** The assessment roll when completed by the assessors of the Township of York for the year 1923, so far as the same affects property within the limits of the said City of York City shall be valid to all intents and purposes as if the said assessors had been appointed by the council of the City of York City and the Township of York shall furnish to the Council of the City of York City for the organization of the said City of York City a true and complete copy of the said assessment roll if the same has then been completed or as soon as possible after the same has been completed and the Council of the *Township of York* shall be the Court of Revision to hear any appeals which may be made against the said assessment *and the said assessment roll as revised shall be the assessment roll for the City of York City for the year 1923.*

Authority  
to issue  
debentures  
for payment  
of debts  
owed  
Township  
of York.

**21.** For the purpose of providing moneys which may be required for the payment of any debt which may be found due or owing by the City of York City to the Township of York, *or to the County of York*, the Municipal Council of the City of York City may issue debentures payable within a period not exceeding twenty years and bearing such rate of

interest as may be determined by the said council to pay such debt, and it shall not be necessary to obtain the assent of the electors to any by-law for the issuing of such debentures.

**22.** All expenses incurred in obtaining this Act, including <sup>Expenses of Act.</sup> *the expenses and charges incurred in submitting the question provided for in section 2*, the furnishing of any documents, copies of papers, writings, deeds, the remuneration of the Clerk of the Township of York for services under this Act or any matter whatsoever required by the clerk or other officer of the said City of York City or otherwise, shall be borne by the said City of York City and paid by it to any person entitled thereto.

No. 15.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate the City  
of York City.

1st Reading, 16th February, 1923.  
2nd Reading, 1923.  
3rd Reading 1923.

*(Reprinted as amended by the Private Bills  
Committee).*

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

## BILL

An Act respecting the Town of Weston,  
Canada Cycle and Motor Company,  
Limited, and Moffats, Limited.

**W**HEREAS the Corporation of the Town of Weston Preamble. has by petition represented that the Council of the Town of Weston, on the 21st day of August, 1922, passed by a three-fourths vote of all the members of Council By-law number 174 enacting that a certain parcel or tract of land therein described owned by Canada Cycle and Motor Company, Limited, together with all buildings, stock-in-trade, plant, machinery, fixtures and materials now or thereafter upon and all other personal and other assessable property of the said Canada Cycle and Motor Company, Limited, thereon, be annually assessed, except for school purposes and local improvements and subject to the provisos in the said By-law contained, for a period of fifteen years, to be computed from the First day of January, 1922, for all purposes en bloc, as follows: For the first five year period, commencing with the First day of January, 1922, at \$50,000; For the second five year period, commencing with the First day of January, 1927, at \$60,000; For the remaining five years, commencing with the First day of January, 1932, at \$70,000; That the Council of the Town of Weston by resolutions passed on the Twenty-seventh day of March, 1922, and First day of August, 1922, agreed with W. G. Trethewey, and his assigns, to construct a trunk sewer on the local improvement plan, and to extend water and electric light service and sewers to the proposed subdivision of the said lands upon the terms and conditions set forth in said resolutions; That at the time the said By-law and resolutions were passed by the Council of the Town of Weston, the lands therein referred to owned by Canada Cycle and Motor Company, Limited, and W. G. Trethewey, respectively, were in what is now the Township of North York: That the Ontario Railway and Municipal Board by Order dated the Eighteenth day of December, 1922, did Order and Proclaim that the lands and premises in the Township of North York, therein particularly described, be annexed to the

Town of Weston, subject to the terms and conditions set forth in the said Order; That the lands described in the said Order of Annexation include the lands described and referred to in the said By-law number 174 and resolutions; That by the said Order the Agreement between the Town of Weston and Canada Cycle and Motor Company, Limited, as set forth in the said By-law number 174, being Schedule "A" to the said Order, and the Agreement between the Town of Weston and W. G. Trethewey, and his assigns, as set forth in the said resolutions dated the Twenty-seventh day of March, 1922, and the First day of August, 1922, being Schedules "B" and "C" to the said Order, were confirmed; That the Council of the Town of Weston on the Eighth day of November, 1922, passed by a three-fourths vote of all the members of Council By-law number 181, enacting that a certain parcel or tract of land therein described, owned by Moffats, Limited, together with all buildings, stock-in-trade, plant, machinery, fixtures and materials now or thereafter upon and all other personal and other assessable property of the said Moffats, Limited, thereon, be annually assessed except for school purposes and local improvements, subject to the provisoes in the said By-law contained for a period of fifteen years, to be computed from the First day of January, 1922, for all purposes en bloc, as follows: For the first five year period, commencing with the First day of January, 1922, at \$36,000; For the second five year period, commencing with the First day of January, 1927, at \$45,000; For the remaining five years, commencing with the First day of January, 1932, at \$55,000; That at the time the said By-law number 181 was passed by the Council of the Town of Weston the lands therein referred to, owned by Moffats, Limited, were in the Township of North York; That the Ontario Railway and Municipal Board by Order dated the Eighteenth day of December, 1922, did Order and Proclaim that the lands and premises in the Township of North York therein particularly described be annexed to the Town of Weston, subject to the terms and conditions set forth in the said Order: That the lands described in the said Order of Annexation are the same lands as are described in the said By-law number 181; That by the said Order the Agreement between the Town of Weston and Moffats, Limited, as set forth in the said By-law number 181, being Schedule "A" to the said Order, was confirmed; And that it is in the interests of the said Town of Weston that the validity of the said Orders and of the said By-laws and Resolutions, being the Schedules to the said Orders, shall not be called in question; And whereas the said Corporation of the Town of Weston by its said petition prays that an Act may be passed to confirm and declare legal, valid and binding, the said Orders made by

the Ontario Railway and Municipal Board dated the Eighteenth day of December, 1922, and to confirm and declare legal, valid and binding upon the said Corporation of the Town of Weston and the Ratepayers thereof, the said By-laws of the Town of Weston, being By-law number 174 passed by the Municipal Council of the Corporation of the Town of Weston on the Twenty-first day of August, 1922, and By-law number 181 passed by the Municipal Council of the Corporation of the Town of Weston on the Eighth day of November, 1922; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Town of Weston Act, 1923*. Short title.
2. The Order made by the Ontario Railway and Municipal Board dated the Eighteenth day of December, 1922, in the matter of the application of the Town of Weston for annexation to the Town of Weston of a portion of the Township of North York as set out in Schedule "1" hereto and the Order made by the Ontario and Railway Municipal Board dated the Eighteenth day of December, 1922, in the matter of the application of the Town of Weston for annexation to the Town of Weston of a portion of the Township of North York as set out in Schedule "2" hereto, are hereby ratified and confirmed and declared to have the force of law and to be legal, valid and binding. Orders of Railway Board, dated 18th Dec., 1922, confirmed.
3. By-law number 174 of the Corporation of the Town of Weston finally passed by the Municipal Council of the said Corporation of the Town of Weston on the Twenty-first day of August, 1922, as set out in the said Order being Schedule "1" hereto, and By-law number 181 of the said Corporation of the Town of Weston finally passed by the Municipal Council of the said Corporation of the Town of Weston on the Eighth day of November, 1922, as set out in Order being Schedule "2" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said Corporation of the Town of Weston and the Ratepayers thereof, and upon all others affected thereby. By-laws No. 174 and 181, Town of Weston, confirmed.
4. This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

## SCHEDULE "1".

Order of The Ontario Railway and Municipal  
Board, Dated 18th December, 1922.

## THE ONTARIO RAILWAY AND MUNICIPAL BOARD.

IN THE MATTER OF the application of the Town of Weston for annexation to the Town of Weston of a portion of the Township of North York described in the petition of W. G. Trethewey.

Upon the application of the Corporation of the Town of Weston for an order annexing to the said Town of Weston the land described in the petition of W. G. Trethewey, to The Ontario Railway and Municipal Board, and the Board having appointed Wednesday, the Sixth day of September, 1922, for the hearing of such application, and having directed that this appointment be published on the 30th day of August, and on the Sixth day of September, 1922, in The Times and Guide newspaper, having a general circulation in the area affected, and that the appointment be served on the Corporation of the Township of North York, and the said application, having been heard on the 6th day of September, 1922, and having come on this day for rehearing in the presence of counsel for the Corporation of the Town of Weston and for the Township of North York, The Canada Cycle and Motor Company, Limited, and Russell Motor Car Company, Limited, and Nicholas Newberry Mooney, owners of the lands described in the said petition and Moffats, Limited, owners of other lands proposed to be annexed, being represented, and the Board having considered the application and the plan, showing the lands to be annexed, having heard read the said petition and the resolution of the Council of the Town of Weston in support of same and the notice of such petition, and resolution given by the said Council to the Council of the Corporation of the Township of North York, and the affidavit of George Howard Gray, proving the service of said notice, and the affidavit of Laurence Sydney Lyon proving the advertisement of the Board's appointment, and upon hearing what was alleged by counsel aforesaid, and the owners of the lands described in said petition and said Moffats, Limited, consenting thereto;

The Board orders and proclaims that the lands and premises in the Township of North York, in the County of York, mentioned in the said petition and being described as: all and singular that certain parcel or tract of land and premises, being composed of part of Lot Number Five in the Fifth Concession west of Yonge Street, in the Township of North York, in the County of York, and parts of the adjoining side road allowance to the north thereof and of the Concession Road Allowance to the east thereof, the said parcel being that portion of the lands in the said Township lying to the south and east of the present limits of the Corporation of the Town of Weston in said County, and bounded on the south by the existing southerly limit of said Lot Five and its production easterly, and on the east by the centre line of the Concession Road Allowance along the easterly limit of said Lot Five, and which is more particularly described as follows: commencing at the intersection of the centre line of the said Concession Road Allowance in front of said Lot Five and of Lot Six in said Concession with the centre line of the side road allowance between said Lots Five and Six; thence south seventy-four degrees west along the said centre line of side road allowance, being part of the present limit of the said Town of Weston, 2,684 feet to the intersection with the north-westerly production of the easterly limit of the right-of-way of The Canadian Pacific Railway crossing said Lot Five; thence south fifty-four degrees fifteen minutes east along said production and said easterly limit of right of way, being part of the present limit of the said Town of Weston, 1,653 feet to the existing southerly limit of said Lot Five; thence north seventy-four degrees, east, along the existing southerly limit of said Lot Five and its production easterly, 1,480 feet to the centre line of said Concession Road Allowance; thence north nine degrees west, along the centre of said Concession Road Allowance, 1,349 feet to the place of beginning—be and the same are hereby annexed to the Town of Weston, subject to the following terms and conditions, namely:



1. That the said annexation shall take effect from and after the 1st day of January, A.D. 1923.

2. That the Corporation of the Township of North York shall forthwith prepare and furnish the Corporation of the Town of Weston with a special roll showing all arrears of taxes or special rates assessed against the lands above described up to the 31st day of December, 1922, and the persons assessed therefor.

3. That the Corporation of the Town of Weston shall have the right to collect all said arrears of taxes according to said special roll including the right to distrain for non-payment of said arrears, or if necessary, the right to sell the said lands, if any, for non-payment of such arrears, as fully as if the said taxes had been assessed and levied by such Corporation, but the proceeds of the collection of such arrears or any part of same, after deducting therefrom the proper costs and expenses in connection with the collection of same, as provided in The Assessment Act, shall be repaid by the Corporation of the Town of Weston to the said Corporation of the Township of North York within six months from the date of collection, provided that the said Corporation of the Town of Weston shall proceed to collect the said arrears of taxes shown on the said special roll, in the same way as if it had assessed and levied the same, but shall not be responsible to the Corporation of the Township of North York for any of such arrears of taxes which it may be unable to collect.

4. That the Corporation of the Township of North York shall indemnify and save harmless the Corporation of the Town of Weston from all loss, costs, charges and expense arising from any act or omission of the Township of North York or their officials or servants in connection with the said special roll.

5. That from and after the 1st day of January, 1923, the said lands may be assessed in the usual way as part of the said Town of Weston.

6. That the said Town of Weston shall pay to the said Township of North York the portion (based on assessed value of property annexed) of any liability or indebtedness which the said Township of North York is now liable to assume or pay the Township of York.

7. That the said Town of Weston shall be liable to maintain and keep in repair the westerly half of the road allowance between the Fourth and Fifth Concessions west of Yonge Street, in the Township of North York, from the northerly limit of Eagle Avenue running southerly to the Canadian Pacific Railway Company's right-of-way as though the said westerly half of said road allowance were wholly within the limits of the said Town of Weston.

8. The agreement between the Town of Weston and The Canada Cycle and Motor Company, Limited, as set forth in By-law Number 174 of the Town of Weston, being Schedule "A" to this Order, is hereby confirmed.

9. The agreement between the Town of Weston and W. G. Trethewey and his assigns as set forth in resolutions of the Council of the Town of Weston, being Schedules "B" and "C" to this Order (the plans therein referred to having been filed herein) is hereby confirmed.

Dated the 18th day of December, A.D. 1922.

(Sgd.) D. M. McINTYRE,

*Chairman.*

(Seal of the Ontario Railway and  
Municipal Board.)

## SCHEDULE "A".

To Order of The Ontario Railway and Municipal Board,  
Dated the 18th day of December, 1922.

## BY-LAW No. 174

BEING A BY-LAW TO provide for fixed assessment of the lands and premises hereinafter described for a period of fifteen years.

Whereas a petition is about to be presented to The Ontario Railway and Municipal Board asking that the portion of the Township of York, adjacent to the Town of Weston, being that portion of Lot Number Five (5), in the Fifth Concession, west of Yonge Street, in the said Township of York, and County of York, lying east of the easterly boundary of the Town of Weston, be annexed to the Town of Weston.

And whereas the Council of the Town of Weston has passed a resolution in support of the said petition declaring that it is expedient that the said part of the Township of York should be annexed to the said Town of Weston.

And whereas Canada Cycle and Motor Company, Limited, and Russell Motor Car Company, Limited, are together the owners of a parcel of land included in the said portion of the Township of York proposed to be annexed to the Town of Weston.

And whereas the said petition for annexation is being supported by both Canada Cycle and Motor Company, Limited, and Russell Motor Car Company, Limited.

And whereas the Council of the Town of Weston has agreed with Canada Cycle and Motor Company, Limited, for a fixed assessment of the lands and premises hereinafter described for a period of fifteen years.

Now therefore be it enacted and it is hereby enacted by the Municipal Council of the Corporation of the Town of Weston:

1. All that certain parcel or tract of land and premises now situate, lying and being in the Township of York, in the County of York, and Province of Ontario, and being composed of part of Block "A," according to Plan M 304, filed in the Office of Land Titles at Toronto, and more particularly described as follows:

Commencing at the intersection of the northeast limit of the right of way of The Canadian Pacific Railway (formerly The Toronto, Grey & Bruce Railway) with the south limit of Dufferin Street (formerly Weston Avenue); thence southeasterly along the northerly limit of the said right of way one thousand feet; thence easterly and parallel with the south limit of Dufferin Street, aforesaid, one hundred and eighty-six feet eight and one-half inches (186' 8½") to a point; thence northerly in a straight line seven hundred and eighty-nine feet and eight-tenths of a foot (789.8') to a point in the southerly limit of Dufferin Street being the northerly boundary of the said Block "A," distant eight hundred and two feet (802') measured easterly thereon from the point of commencement; thence westerly along the last named limit eight hundred and two feet (802') to the point of commencement, containing ten acres, more or less (as shown on Plan dated at Weston, 27th day of June, 1922, by John J. Dalton, O.L.S., hereto attached) subject to the easement referred to in a certain agreement registered thereon, dated the 31st day of March, A.D. 1911, and made between The Toronto, Grey & Bruce Railway Company of the one part and one, William G. Trethewey, of the other part.

Together with all buildings, stock-in-trade, plant, machinery, fixtures and materials now or hereafter thereon, and all other personal and other assessable property of the said Canada Cycle and Motor Company, Limited, thereon, for a period of fifteen years to be computed

from the 1st day of January, 1922, shall be annually assessed, subject to the provisos contained herein, for all purposes en bloc as follows:

For the first five-year period, commencing with 1st January, 1922, at \$50,000; for the second five-year period, commencing with 1st January, 1927, at \$60,000; for the remaining five years, commencing with 1st January, 1932, at \$70,000.

But in case any part of the said lands shall hereafter be leased or sold, or used for the purpose of dwelling houses or for any purposes not connected with the business aforesaid, such part or parts of lands and the buildings thereon shall annually thereafter, while used for the purpose of dwelling houses or for any other purpose not connected with the said business during the period of such fixed assessment be assessable as if this by-law had not been passed; provided, however, that the amount of the assessment fixed by this by-law for the lands used for the purposes of said business shall not on that account be reduced; and, in the event of the destruction of the said buildings or property, or any part thereof, so that the value of the same, with the said lands and other property, shall not be equal to the said sum of Fifty Thousand Dollars (\$50,000) during the first five years; Sixty Thousand Dollars (\$60,000) during the second five years, or Seventy Thousand Dollars (\$70,000) during the last five-year period, the assessment shall be made while such value is under the amount of the fixed assessment hereby provided for as if this By-law had not been passed.

2. Provided that the business assessment of the said Company or any assessment in connection with the said lands and property which may be imposed by the Legislature, based on the value of the said lands and property, shall be based upon the fixed assessment as above set out, for the term herein mentioned, subject to the provisions contained in paragraph 5 hereof.

3. The assessors and other officers making such assessments are hereby authorized and required so to make their assessment and returns as to conform with the provisions of this By-law.

4. Notwithstanding anything contained herein, the above mentioned lands and premises shall be liable to assessment and taxation for school purposes and local improvements and to the same extent as if this By-law were not passed.

5. If requested by The Canada Cycle and Motor Company, Limited, an application shall be made by the said Municipal Corporation at the expense of The Canada Cycle and Motor Company, Limited, to the Legislature of the Province of Ontario to confirm this By-law and to carry the provisions thereof into effect.

This By-law shall come into effect as soon as said portion of the Township of York has been annexed to the Town of Weston.

Passed by a three-fourths vote of all the members of Council this 21st day of August, A.D. 1922.

(Sgd.) R. J. FLYNN, *Mayor.*  
(Sgd.) J. H. Taylor, *Clerk.*

#### SCHEDULE "B".

To Order of The Ontario Railway and Municipal Board,  
Dated 18th day of December, 1922.

Moved by S. J. Totten.

Seconded by George Sainsbury.

That the Plan (Number 1) of Sub-division of the portion of Trethewey property in the Township of York presented by James E. Brett,

Esq., be approved of with street extending to railway, as shewn thereon, provided said street is dedicated extending to Weston Road as shewn on Plan Number 2.

That the Council pass the necessary resolution in support of the petition for annexation of said property to the Town of Weston, when said petition is ready for presentation to The Railway Board, including annexation of The Canada Cycle and Motor Company property and such other property south of the Trethewey property as may be included in said petition, provided street to Weston Road as shewn on Plan submitted is dedicated and

That the Town make application to the Dominion Railway Board for a level crossing for said street across the C.P.R. and G.T.R.

That the Town immediately after the Order of Annexation of said property shewn on said Plan (Number 1), together with Canada Cycle property (at least), commence construction of a trunk sewer on Manton Avenue, on local improvement plan, at a depth sufficient at least to give cellar drainage for said subdivision if allowed to cross railways with said sewer and

That water and electric light service and sewers be extended to said subdivision as reasonably required on same basis as in other parts of the Town in accordance with such local improvement by-laws as may from time to time be in force.

That the Mayor and Clerk are hereby authorized to sign the said Plan (Number 1) and affix the Seal of the Corporation thereto when said dedication of street as shewn on Plans Numbers One and Two has been properly executed by the proper party or parties.

Passed the 27th day of March, 1922.

(Sgd.) J. H. Taylor,  
*Clerk.*

#### SCHEDULE "C".

To Order of The Ontario Railway and Municipal Board.  
Dated 18th day of December, 1922.

#### TOWN OF WESTON.

Moved by J. M. Gardhouse.

Seconded by John Harris.

That the new plans of Trethewey property presented by Mr. Wilson are hereby approved on condition that a sixty-six foot strip of land adjoining on the south of the Russell Motor Car Company and The Canada Cycle and Motor Company properties to C.P.R. lands and a further sixty-six foot strip from G.T.R. lands to Weston Road, be dedicated to the Town of Weston as a highway (with one foot reserve strip to be held by the Town, included in first mentioned sixty-six feet strip, and that the Mayor and Clerk are authorized to sign said plans on delivery of deeds of said sixty-six feet strips and petition for annexation otherwise terms of agreement re annexation of Trethewey property to remain as set forth in previous resolution.

Passed the 1st day of August, 1922.

(Sgd.) R. J. FLYNN,  
*Mayor.*

Certified a correct copy.

(Sgd.) A. J. PRITCHARD,  
*Acting Clerk.*

## SCHEDULE "2".

Order of The Ontario Railway and Municipal Board.  
Dated 18th day of December, 1922.

## THE ONTARIO RAILWAY AND MUNICIPAL BOARD.

IN THE MATTER OF the application of the Town of Weston for annexation to the Town of Weston of a portion of the Township of North York, described in the petition of C. C. McIntosh and others.

Upon the application of the Corporation of the Town of Weston for an Order annexing to the said Town of Weston the land described in the petition of C. C. McIntosh and others to The Ontario Railway and Municipal Board, and the Board having appointed Monday, the 18th day of December, 1922, for the hearing of such application, and having directed that this appointment be published on the 13th day of December, 1922, in The Times and Guide newspaper, having a general circulation in the area affected, and that the appointment be served on the Corporation of the Township of North York and the said application, having come on this day for hearing in the presence of counsel for the Corporation of the Town of Weston and for the Township of North York, Moffats, Limited, owners of the lands described in the said petition and The Canada Cycle and Motor Company, Limited, and Russell Motor Car Company, Limited, and Nicholas Newberry Mooney, owners of other lands proposed to be annexed, being represented, and the Board having considered the application and the Plan, showing the land to be annexed, having heard read the said petition and the resolution of the Council of the Town of Weston in support of same and the notice of such petition, and resolution given by the said Council to the Council of the Corporation of the Township of North York, and the affidavit of Ellerton Holley, proving the service of said Notice, and the affidavit of George Howard Gray, proving the advertisement of the Board's appointment, and upon hearing what was alleged by counsel aforesaid; and the owners of the lands described in said petition and the said The Canada Cycle and Motor Company, Limited, Russell Motor Car Company, Limited, and Nicholas Newberry Mooney consenting thereto:

The Board orders and proclaims that the lands and premises in the Township of North York, in the County of York, mentioned in the said petition and being described as:

All and singular those certain parcels or tracts of land and premises described as follows: Being composed of part of Lot Number Four (4), in the Fifth Concession, west of Yonge Street, in the Township of North York, in the County of York, and part of the original Concession Road Allowance in front of the said Lot Number Four, the said parcel being that portion of the lands in the said Township lying to the east of the present limit of the Corporation of the Town of Weston, and its production southerly to the centre line of said Lippincott Street and bounded on the south by the centre line of said Lippincott Street, and on the east by the centre line of said Concession Road Allowance and on the north by the centre line of Denison Road; the said roads and street being shewn on Plan registered as Number 500 in the Registry Office for the Registry Division of the East and West Riding of the County of York, and which is more particularly described as follows: Commencing at the intersection of the centre line of said Concession Road Allowance in front of said Lot Number Four, with the centre line of said Denison Road; thence south seventy-four degrees west along the centre line of said Denison Road 885 feet to the intersection with the easterly limit of the right-of-way of the Canadian Pacific Railway crossing the said Lot Number Four; thence south fifty-four degrees fifteen minutes east along the said easterly limit of right-of-way, and being also the easterly limit of the said Town of Weston, to the centre line of said Lippincott Street; thence north seventy-four degrees east along the centre line of said Lippincott Street and its production easterly to the centre line of said Concession Road Allowance; thence north nine degrees west along the centre line of said Concession Road Allowance to the place of beginning—be and the same are hereby annexed to the Town of Weston, subject to the following terms and conditions, namely:

1. The said annexation shall take effect from and after the 1st day of January, A.D. 1923.

2. That the Corporation of the Township of North York shall forthwith prepare and furnish the Corporation of the Town of Weston with a special roll, showing all arrears of taxes or special rates assessed against the lands above described up to the 31st day of December, 1922, and the persons assessed therefor.

3. That the Corporation of the Town of Weston shall have the right to collect all said arrears of taxes according to said special roll including the right to distrain for non-payment of said arrears, or if necessary, the right to sell the said lands, if any, for non-payment of such arrears, as fully as if the said taxes had been assessed and levied by such Corporation, but the proceeds of the collection of such arrears or any part of same, after deducting therefrom the proper costs and expenses in connection with the collection of same as provided in The Assessment Act, shall be repaid by the Corporation of the Town of Weston to the said Corporation of the Township of North York, within six months from the date of collection, provided that the said Corporation of the Town of Weston shall proceed to collect the said arrears of taxes shown on the said special roll, in the same way as if it had assessed and levied the same, but shall not be responsible to the Corporation of the Township of North York for any of such arrears of taxes which it may be unable to collect.

4. That the Corporation of the Township of North York shall indemnify and save harmless the Corporation of the Town of Weston from all loss, costs, charges and expenses arising from any act or omission of the Township of North York or their officials or servants in connection with the said special roll.

5. That from and after the 1st day of January, 1923, the said lands may be assessed in the usual way as part of the said Town of Weston.

6. That the said Town of Weston shall assume and pay to the said Township of North York the portion (based on assessed value of property annexed) of any liability or indebtedness which the said Township of North York is now liable to assume or pay the Township of York.

7. The said Town of Weston shall pay to the Township of North York, on or before the 1st day of March, 1923, the sum of Three Hundred Dollars, in satisfaction of the claim of the Township for moneys spent during the year 1922 on the road allowance between the Fourth and Fifth Concessions west of Yonge Street, in the Township of North York.

8. The said Town of Weston shall be liable to maintain and keep in repair the westerly half of the road allowance between the Fourth and Fifth Concessions west of Yonge Street, in the Township of North York, from the northerly limit of Eagle Avenue, running southerly to The Canadian Pacific Railway Company's right-of-way as though the said westerly half of said road allowance were wholly within the limits of the said Town of Weston.

9. The agreement between the Town of Weston and Moffats, Limited, as set forth in By-law number 181, of the Town of Weston, being Schedule "A" to this Order, is hereby confirmed.

Dated the 18th day of December, A.D. 1922.

(Sgd.) D. M. McINTYRE.  
*Chairman.*

(Seal of the Ontario Railway and  
Municipal Board.)

## SCHEDULE "A."

To Order of The Ontario Railway and Municipal Board,  
Dated the 18th day of December, 1922.

## BY-LAW No. 181.

BEING A BY-LAW TO provide for a fixed assessment of the lands and premises hereinafter described for a period of fifteen years.

Whereas a petition is about to be presented to The Ontario Railway and Municipal Board asking that a portion of the Township of North York, adjacent to the Town of Weston, being that portion of the lands in the said Township, composed of parts of Lots Numbered Three and Four in the Fifth Concession west of Yonge Street, in the Township of North York, in the County of York, and part of the original Concession Road Allowance in front of said Lots, the said parcel being that portion of the lands in said Township lying to the east of the present limit of the Corporation of the Town of Weston and its production southerly to the centre line of St. John's Road, and bounded on the south by the centre line of said St. John's Road, and on the east by the centre line of the said Concession Road Allowance and on the north by the centre line of Denison Road, the said roads being shown on Plan registered as Number 500, in the County of York, be annexed to the Town of Weston.

And whereas the Council of the Town of Weston has passed a Resolution in support of the said petition, declaring that it is expedient that the said part of the Township of North York should be annexed to the said Town of Weston.

And whereas Moffats, Limited, is the owner of a parcel of land included in the said portion of the Township of North York proposed to be annexed to the Town of Weston.

And whereas the said petition for annexation is being supported by Moffats, Limited, on the terms set forth in this by-law.

And whereas the Council of the Town of Weston has agreed with Moffats, Limited, for a fixed assessment of the land and premises hereinafter described for a period of fifteen years.

Now therefore be it enacted and it is hereby enacted by the Municipal Council of the Corporation of the Town of Weston:

1. All and singular that certain parcel or tract of land and premises now situate lying and being in the Township of North York, in the County of York, and Province of Ontario, as set forth in Schedule "A" to this By-law.

Together with all buildings, stock-in-trade, plant, machinery, fixtures and materials now or hereafter thereon and all other personal and other assessable property of the said Moffats, Limited, thereon, for a period of fifteen years to be computed from the 1st day of January, 1922, shall be annually assessed subject to the provisos contained herein, for all purposes en bloc as follows:

For the first five-year period, commencing with the 1st of January, 1922, at \$36,000; for the second five-year period, commencing with 1st of January, 1927, at \$45,000; for the remaining five years, commencing with 1st of January, 1932, at \$55,000.

But in case any part or parts of the said lands shall hereafter be leased or sold or used for the purpose of dwelling houses other than a caretaker's dwelling house or for any purposes not connected with the business aforesaid, such part or parts of lands and the buildings thereon shall, annually thereafter, while used for the purpose of dwelling houses other than a caretaker's dwelling house, or for any other purpose not connected with the said business during the period of such fixed assessment be assessable as if this By-law had not been passed; provided, however, that the amount of the assessment

fixed by this By-law for the lands used for the purposes of said business shall not on that account be reduced; and, in the event of the destruction of the said buildings or property, or any part thereof, so that the value of the same, with the said lands and other property shall not be equal to the said sum of Thirty-six Thousand Dollars (\$36,000) during the first five years; Forty-five Thousand Dollars (\$45,000) during the second five years or Fifty-five Thousand Dollars (\$55,000) during the last five-year period, the assessment shall be made while such value is under the amount of the fixed assessment hereby provided for as if this By-law had not been passed.

2. Provided that the business assessment of the said Company or any assessment in connection with the said lands and property which may be imposed by the Legislature, based on the value of the said lands and property shall be based upon the fixed assessment as above set out, for the term herein mentioned, subject to the provisions contained in paragraph five hereof.

3. The assessors and other officers making such assessments are hereby authorized and required so to make their assessment and returns as to conform with the provisions of this By-law.

4. Notwithstanding anything contained herein the above mentioned lands and premises shall be liable to assessment and taxation for school purposes and local improvements and to the same extent as if this By-law were not passed.

5. If requested by Moffats, Limited, an application shall be made by the said Municipal Corporation at the expense of Moffats, Limited, to the Legislature of the Province of Ontario, to confirm this By-law and to carry the provisions thereof into effect.

This By-law shall come into effect as soon as said portion of the Township of North York has been annexed to the Town of Weston.

Passed by a three-fourths vote of all the members of Council this 8th day of November, A.D. 1922.

(Sgd.) R. J. FLYNN,  
Mayor.  
(Sgd.) J. H. TAYLOR,  
Clerk.

#### SCHEDULE "A"

##### *DESCRIPTION OF LANDS OF MOFFATS, LIMITED.*

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Township of York, in the County of York, and Province of Ontario, being composed of Lots Lettered "H", "J" and "K", according to a Plan filed in the Registry Office for the said County and known as Plan Number 500.









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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the Town of Weston  
and Canada Cycle and Motor Company,  
Limited, and Moffats, Limited.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

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MR. GODFREY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of Niagara Falls.

**W**HEREAS the Municipal Corporation of the City of Niagara Falls has by its petition represented that it is desirable that power should be granted to the said Corporation to dissolve the Board of Police Commissioners and has prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The City of Niagara Falls Act*, 1923.

Short title.

**2.** Notwithstanding anything in *The Consolidated Municipal Act, 1922*, contained, the Council of the Municipal Corporation of the City of Niagara Falls may by by-law dissolve and put an end to the Board of Police Commissioners and thereafter the council shall have and exercise all powers and duties previously had and exercised by the said Board.

Authority to dissolve Board of Police Commissioners

**3.** This Act shall come into force and take effect on and after the 1st day of July, 1923.

Commencement of Act

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of  
Niagara Falls.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Private Bill).*

MR. SWAYZE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Guelph.

**W**HEREAS the Corporation of the City of Guelph has, Preamble.  
by its petition, represented that on the tenth day of November, A.D. 1922, a certain by-law being number 1630 of the City of Guelph was passed by the Council of the said City for submitting to the electors the question as to whether they were in favour of an application being made to the Legislature for authority to change the system of local civic government by continuing to elect eighteen aldermen but electing a Mayor annually in addition by a general vote of the electors; and whereas the said question was duly submitted to the qualified electors of the City of Guelph on the fourth day of December, A.D. 1922, and the said electors by a majority of votes voted in favour of the said application; and whereas the Council of the Corporation of the City of Guelph is desirous of carrying into effect the change referred to in the said question and approved by the electors, as aforesaid; and whereas the said Corporation has by its petition prayed that an Act may be passed for the above mentioned purpose, and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. After the 31st day of December, A.D. 1923, the provisions of this Act shall apply to the Municipal Corporation of the City of Guelph, and in so far as the provisions of this Act shall alter, vary or change the provisions of *The Consolidated Municipal Act, 1922*, *The Public Utilities Act*, *The Public Parks Act* or *The Act respecting the City of Guelph* passed in the eighth year of the reign of His Majesty King George the Fifth, Chaptered 62, or any of them in respect of civic government within the City of Guelph, the provisions of this Act shall prevail.

Application of provisions of 1922, c. 72; Rev. Stat. c. 189; Rev. Stat. c. 203; 1918, c. 62.

Council—  
how  
composed.

**2.** All the present members of the Council of the City of Guelph shall cease to hold office at the end of the year 1923. For the year 1924 and thereafter the Council of the said City shall be composed of the Mayor, who shall be elected annually by a general vote of the qualified electors of the City, and of eighteen aldermen who shall be elected by a general vote of the qualified electors of the City in the manner hereinafter mentioned. Of the said 18 aldermen, the six aldermen who shall obtain the highest number of votes at the election held for the year 1924 shall hold office for a term of three years, and the six aldermen who shall obtain the next highest number of votes shall hold office for a term of two years, and the six aldermen who shall obtain the next highest number of votes shall hold office for a term of one year; and in each year thereafter one-third of the said eighteen aldermen shall be elected by a general vote of the said ratepayers and shall hold office for a term of three years. Provided that in the event of the election by acclamation of all the aldermen for the year 1924 the six aldermen having the highest assessment in the City of Guelph, according to the last revised Assessment Roll, shall hold office for a term of three years, and the six aldermen having the next highest assessment as aforesaid shall hold office for a term of two years, and the six aldermen having the next highest assessment as aforesaid shall hold office for a term of one year. The said elections shall be held and conducted in accordance with the provisions of *The Consolidated Municipal Act, 1922* for the election of aldermen.

1922, c. 72.

Vacancy in  
office of  
alderman—  
how filled,  
1922, c. 72.

**3.** In the event of the death, resignation or removal from office for any cause under the provisions of *The Consolidated Municipal Act, 1922* of any alderman during his term of office, the candidate at the last preceding election for alderman having the next highest number of votes shall be declared elected an alderman for the unexpired term of the person so dying, resigning or being removed from office; provided that in case of the candidates at the last preceding election having been elected by acclamation, or the list of such candidates having been exhausted, the vacancy so created shall be filled by the election of another alderman by the Council for the unexpired term of office of the alderman so dying, resigning or being removed from office.

Powers of  
Board.

**4.** The Council to be formed for the year 1924, in the manner aforesaid, and thereafter shall possess and exercise all the powers and rights of the Council of the said City for the year 1923.



5.—(1). The Board of Light and Heat Commissioners of the City of Guelph shall consist of three members of whom the Mayor shall *ex-officio* be one, and one of the others shall be appointed by the Municipal Council at its first meeting in each year and shall hold office for two years. For the year 1924 the third member of the said Board shall be that one who has been appointed in the year 1923 for two years and he shall continue to hold office until the expiration of the term for which he was appointed. The Commissioners to be appointed by the Council as aforesaid shall not be members of the said Council.

(2). The said Commission when so constituted shall be a commission under the provisions of Part 3 of *The Public Utilities Act* and shall have and possess the control and management of the construction, operation and maintenance of all works undertaken by the City of Guelph for the distribution and supply of electrical power or energy and of gas, and all other matters or things incidental thereto, pursuant to the provisions in that behalf contained in *The Public Utilities Act* and *The Power Commission Act*.

6. The Clerk of the Corporation of the City of Guelph shall be an *ex-officio* member of all committees of the Council of the City with the right to take part in the discussion thereof, but without the right to vote upon any question; and it shall be the duty of the City Clerk, in addition to all other duties imposed upon him under *The Consolidated Municipal Act, 1922* or other Acts, to recommend from time to time to the various committees of the Council for adoption such measures as he may deem necessary or expedient, and the said Clerk shall at all times keep the said Committee fully advised as to the financial and other needs of the Corporation, and as to all work and matters pertaining to the work of the various committees of the said Council.

7. This Act may be cited as *The City of Guelph Act, 1923*.

No. 18.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the  
City of Guelph.

1st Reading,	1923.
2nd Reading	1923.
3rd Reading	1923.

(*Private Bill*).

MR. BUCKLAND.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Guelph.

**W**HEREAS the Corporation of the City of Guelph has, Preamble.  
by its petition, represented that on the tenth day of November, A.D. 1922, a certain by-law being number 1630 of the City of Guelph was passed by the Council of the said City for submitting to the electors the question as to whether they were in favour of an application being made to the Legislature for authority to change the system of local civic government by continuing to elect eighteen aldermen but electing a Mayor annually in addition by a general vote of the electors; and whereas the said question was duly submitted to the qualified electors of the City of Guelph on the fourth day of December, A.D. 1922, and the said electors by a majority of votes voted in favour of the said application; and whereas the Council of the Corporation of the City of Guelph is desirous of carrying into effect the change referred to in the said question and approved by the electors, as aforesaid; and whereas the said Corporation has by its petition prayed that an Act may be passed for the above mentioned purpose, and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—



1. This Act may be cited as *The City of Guelph Act, 1923*. Short title.

2.—(1) For the year 1924 and thereafter the Council of Council, how composed  
the City of Guelph shall be composed of a mayor and eighteen aldermen. Of the said eighteen aldermen, those whose terms of office for which they were elected under the provisions of the Act passed in the eighth year of the reign of His Majesty, King George the Fifth, Chaptered 62, have not expired, shall continue to hold office for their respective unexpired terms, and the six aldermen who shall obtain the

highest number of votes of the qualified electors of the City of Guelph at the election held for the year 1924, shall hold office for the term of three years; and in each year thereafter one-third of the said eighteen aldermen shall be elected by a general vote of the said ratepayers and shall hold office for the term of three years. The mayor shall be elected annually by a general vote of the qualified electors of the city. The said elections shall be held and conducted in accordance with the provisions of *The Consolidated Municipal Act, 1922*, for the election of mayor and aldermen.

Nomination  
of alderman  
for mayor.

(2) Any alderman without vacating his seat may be nominated for mayor, but if he is elected he shall cease to hold his office as alderman on the first day of January of the year for which he is elected mayor.

Vacancy in  
office of  
alderman—  
how filled,  
1922, c. 72.

3. In the event of the death, resignation or removal from office for any cause under the provisions of *The Consolidated Municipal Act, 1922* or of this Act of any alderman during his term of office, the candidate at the last preceding election for alderman having the next highest number of votes shall be declared elected an alderman for the unexpired term of the person so dying, resigning or being removed from office; provided that in case of the candidates at the last preceding election having been elected by acclamation, or the list of such candidates having been exhausted, the vacancy so created shall be filled by the election of another alderman by the Council for the unexpired term of office of the alderman so dying, resigning or being removed from office.

Powers of  
Board.

4. The Council to be formed for the year 1924, in the manner aforesaid, and thereafter shall possess and exercise all the powers and rights of the Council of the said City for the year 1923.

Board of  
Light and  
Heat Com-  
missioners—  
how  
composed.

5.—(1) The Board of Light and Heat Commissioners of the City of Guelph shall consist of three members of whom the Mayor shall *ex-officio* be one, and one of the others shall be appointed by the Municipal Council at its first meeting in each year and shall hold office for two years. For the year 1924 the third member of the said Board shall be that one who has been appointed in the year 1923 for two years and he shall continue to hold office until the expiration of the term for which he was appointed. The Commissioners to be appointed by the Council as aforesaid shall not be members of the said Council.

Powers of  
Board.  
Rev. Stat.  
c. 204.

(2) The said Commission when so constituted shall be a commission under the provisions of Part 3 of *The Public Utilities Act* and shall have and possess the control and

management of the construction, operation and maintenance of all works undertaken by the City of Guelph for the distribution and supply of electrical power or energy and of gas, and all other matters or things incidental thereto, pursuant to the provisions in that behalf contained in *The Public Utilities Act* and *The Power Commission Act*. Rev. Stat. c. 391.

6. The Clerk of the Corporation of the City of Guelph shall be an *ex-officio* member of all committees of the Council of the City with the right to take part in the discussion thereof, but without the right to vote upon any question; and it shall be the duty of the City Clerk, in addition to all other duties imposed upon him under *The Consolidated Municipal Act, 1922* or other Acts, to recommend from time to time to the various committees of the Council for adoption such measures as he may deem necessary or expedient, and the said Clerk shall at all times keep the said Committee fully advised as to the financial and other needs of the Corporation, and as to all work and matters pertaining to the work of the various committees of the said Council. Clerk to be ex-officio member of all Committees of Council.

7. The provisions of *The Consolidated Municipal Act, 1922*, *The Public Utilities Act*, and *The Public Parks Act*, or any of them in respect of civic government within the City of Guelph shall apply except where inconsistent with the provisions of this Act. Provisions of 1922, c. 72, Rev. Stat. 189, Rev. Stat. c. 203; to apply where not inconsistent.

8. Sections 1 to 6 and sections 9 and 10 of the Act passed in the eighth year of the reign of His Majesty, King George the Fifth, Chaptered 62, shall be deemed to be repealed on and after the 1st day of January, 1924. 1918, c. 62, ss. 1 to 6, 9, 10, repealed.

No. 18.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the  
City of Guelph.

1st Reading,	February 2nd, 1923.
2nd Reading	1923.
3rd Reading	1923.

*(Reprinted as amended by the Private  
Bills Committee.)*

Mr. BUCKLAND.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of Ottawa.

**W**HEREAS the Corporation of the City of Ottawa has Preamble.  
presented a Petition praying that it should be  
enacted as hereinafter set forth; and whereas it is expedient  
to grant the prayer of the said Petition;

Therefore, His Majesty by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** The Council of the said Corporation may provide by Power to  
By-law for borrowing, and may borrow, upon debentures borrow  
of the Corporation, payable within thirty years from their \$125,000  
date of issue, a sum of money not exceeding \$125,000 and may for  
expend the same in constructing and extending water mains extension  
and water services. of  
waterworks.

**2.—(1)** The Council of the said Corporation may provide Power to  
by by-law for borrowing, and may borrow, upon debentures borrow  
of the Corporation, payable within twenty years from their \$40,000  
date of issue a sum of money not exceeding \$40,000 for the for fire hall  
purpose of acquiring a site for, and erecting thereon, a fire site in  
hall in the south-westerly section of Dalhousie Ward. Dalhousie  
Ward.

**(2).** The Corporation may acquire the land required as Expropria-  
a site for such fire hall by expropriation, in the manner and tion  
with the authority conferred by Part XV of *The Consolidated* 1922, c. 72.  
*Municipal Act, 1922.*

**(3)** Should the Corporation exercise the powers conferred Fairmont  
by subsection 1 of this section, it shall, on and after the Avenue  
completion of such fire hall, remove the fire apparatus and fire hall.  
equipment from the Fairmont Avenue fire hall, and may  
thereafter sell or otherwise dispose of the said fire hall and  
the land upon which the same is situate.

**3.—(1)** The Council of the said Corporation may provide Power  
by by-law for borrowing, and may borrow, upon debentures to borrow  
payable within twenty years from their date of issue, a sum \$20,000  
for fire hall in Rideau  
in Rideau Ward. Ward.

not exceeding \$20,000 with which to provide a part of the cost of acquiring a new site for a fire hall, and of erecting and equipping a fire hall in Rideau Ward.

Existing  
fire hall to  
be sold  
before new  
hall is  
erected.

(2) The authority conferred by subsection 1 of this section shall not be exercised, unless and until the Corporation shall have sold and have received payment for the existing fire hall and premises in Rideau Ward, which sale the Corporation is hereby authorized to make, and then only if the total of the sum realized upon a sale thereof, and the said sum of \$20,000 is sufficient, in the opinion of some competent architect appointed by the Corporation for that purpose, to provide for the cost of acquiring such new site as the Corporation may propose to acquire, and of erecting and equipping a new fire hall thereon, in accordance with the plans and specifications submitted by such architect.

Power  
to borrow  
\$50,000  
for Royal  
Ottawa  
Sanatorium.

4. The Council of the said Corporation may provide by by-law for borrowing, and may borrow, upon debentures, payable within twenty years from their date of issue, a sum not exceeding \$50,000 for the purpose of defraying such part of the cost of acquiring additional lands for the Royal Ottawa Sanatorium, and of erecting additional hospital buildings thereon, as shall exceed the amount of certain contributions made to the Corporation by E. C. Whitney, Esq., and others, for such purposes.

Assent of  
electors.

5.—(1) It shall not be necessary for the Corporation to obtain the assent of the electors of the City of Ottawa, qualified to vote on money by-laws, to the passing of any or all of the debenture by-laws which may be passed under the provisions of sections 1, 2, 3 and 4 of this Act, nor to observe in respect thereto, the formalities prescribed by *The Consolidated Municipal Act, 1922* in relation to the passing of money by-laws.

1922, c. 72.

Interest rate  
and mode of  
payment.

(2) All such debentures shall bear interest at such rate or rates as the Council of the said Corporation may determine, and the principal thereof, and the interest thereon, may be made payable in any manner authorized by *The Consolidated Municipal Act, 1922*.

1922, c. 72.

Consolidat-  
ing by-law;  
recitals to  
set out  
separate  
by-law.

(3) The Corporation, instead of borrowing the separate sums authorized to be borrowed by sections 2, 3 and 4 of this Act, may consolidate the same, and may provide by a single by-law for borrowing the aggregate of such separate sums, and for issuing one series of debentures therefor. Such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing which it authorizes, and the purposes for which such sums are to be expended.



6. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action against the Corporation of the City of Ottawa for the recovery of the amount thereof, or any part thereof, or the interest thereon.

7. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 1 of this Act, there shall be annually raised by the Corporation during the currency of the said debentures, with the authority conferred upon the Corporation, in and by the Act passed in the thirty-fifth year of the reign of Her late Majesty, Queen Victoria, chaptered 80, and intituled, *An Act for the Construction of Waterworks for the City of Ottawa* from the water rates, a sum sufficient to discharge the said debt and interest when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and the cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore authorized to be contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected, by the said Corporation, by a special rate upon the assessable property of the said Corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

8. The Corporation may expend any part of the money raised by the sale of the debentures authorized to be issued by by-law Number 5406, passed pursuant to the provisions of clause *a* of section 2 of *The City of Ottawa Act, 1922*, for the purpose of acquiring or expropriating such lands and buildings as the Corporation may determine by by-law to acquire or expropriate, in order to improve, widen, or extend the approaches to the bridge across the Rideau River at St. Patrick Street, and in extending, widening and improving such approaches.

9. The payment of \$2,000 made by the Council of the said Corporation in the year 1920, to the Kiwanis Club of Ottawa, for the purpose of paying certain accounts incurred in a campaign for promoting the safety of pedestrians and others on the streets in the said City, is hereby confirmed and declared to be, and to always have been legal, valid and binding upon the said Corporation.

Power to undertake works as local improvements before retirement of debentures which proposed works will replace, Rev. Stat. c. 193.

**10.**—(1) The Council of the said Corporation may provide by a by-law or by-laws to be passed under the provisions of, and with the authority conferred by *The Local Improvement Act*, for undertaking and completing, and may undertake and complete, the pavements specified in clauses *a* and *b* of this subsection, and may assess and levy the cost thereof, in the manner authorized by the said Act, notwithstanding that the estimated lifetime of the pavements which such pavements will replace, either in whole or in part, has not expired, and that the debentures issued to provide for the cost thereof, have not been redeemed:

- (a) An asphalt and wood-block pavement on Bank Street, from Pretoria Avenue to Wilton Crescent;
- (b) An asphalt and wood-block pavement on St. Patrick Street, from Dalhousie Street to the westerly approach to the St. Patrick Street Bridge.

Council shall pay out of general fund balance remaining on existing work.

(2) The Council shall annually, in and after the year in which the first instalment of the principal of and of interest on, the debentures issued to provide for the cost of constructing the pavement authorized by clause *a* of subsection 1 of this section, becomes payable, raise and pay out of its general funds all such sums as would otherwise during such years, be assessed against, and payable by, the owners of the lands specified in section 2 of by-law Number 3480; and shall also annually, in and after the year in which the first instalment of the principal of and of interest on the debentures issued to provide for the cost of constructing the pavements specified in clause *b* of subsection 1 of this section becomes payable, raise and pay out of its general funds all such sums as would otherwise during such years be assessed against and payable by the owners of the lands specified in section 5 of by-law Number 3480.

Exemption of lands of Ottawa Auxiliary Bible Society from municipal taxation.

**11.** The Council of the said Corporation may, by by-law, which shall not require for its validity the assent of the electors qualified to vote on money by-laws, exempt from all municipal rates and taxes, other than school and collegiate institute, water and local improvement rates, a parcel of land belonging to the Ottawa Auxiliary Bible Society, being composed of parts of lots Numbers 35 and 36 on the north side of Lisgar Street; of the south half of Lot Number 3, on the east side of Bank Street, and of the southerly eleven feet of Lot Number 36 on the south side of Nepean Street, as is more particularly described in a certain Deed from Hazel H. Bowles to the said Society, dated November 1st, 1922, and registered in

the Registry Office for the City of Ottawa as Number 166,200, and the buildings now or hereafter erected thereon, so long as the said lands and buildings shall continue to be used for the purposes of the said Society; provided that should the said land or buildings, or any part or parts thereof, be used at any time for any other purposes than those of the said Society, the said exemption shall terminate and the said lands and buildings shall thereafter be assessed and rated in like manner, and to the same extent as they would have been assessed and rated had such by-law not been passed.

**12.**—(1) The Council of the said Corporation may by by-law, which shall not require for its validity the assent of the electors qualified to vote on money by-laws, grant a fixed assessment of \$15,000 for a period not exceeding ten (10) years, from and including the year 1924, upon that certain parcel of land belonging to the Ottawa Tennis and Bowling Association, Limited, containing by admeasurement 4 and 9/10 acres more or less, and more particularly described in a certain Deed from the Ottawa South Property Company to the said Association, dated the 1st day of May, 1922, and registered in the Registry Office for the City of Ottawa as Number 163,929, and upon the buildings now or hereafter during the said period erected thereon for the use of the said Association. Should the said lands and buildings, or any part or parts thereof, be used at any time during the period for which such fixed assessment may be granted, for any purposes other than the purposes of a lawn tennis and bowling association, then such lands and buildings or such part or parts thereof, as shall be used for such purposes shall thereafter be assessed and rated in the same manner and to the same extent as they would have been assessed and rated if such by-law had not been passed.

Power to grant fixed assessment to Ottawa Tennis and Bowling Club, Ltd.

(2) The lands and buildings of the said Association, notwithstanding the passing of a by-law as authorized by subsection 1 of this section, shall continue to be assessed and rated for school, collegiate institute and water rates, in the same manner and to the same extent as the said lands and buildings would have been assessed and rated if such by-law had not been passed.

School taxes and water rates not affected.

**13.** Notwithstanding the provisions of *The Consolidated Municipal Act, 1922*, or of any other Act of the Legislature, the Council of the said Corporation may by by-law, authorize the Commissioner of Works, or any committee appointed by the Council to:—

Power to pass by-laws authorizing:

- (a) Plant or cause to be planted trees in the streets, lanes and other public places of the municipality;

Planting of trees in public places.

Trimming.

- (b) Trim or cause to be trimmed all trees on private property, the branches of which extend over the street, lane or other public place;

transplant-  
ing, etc., on  
48 hours'  
notice to  
occupant.

- (c) Remove, transplant, or cut down, or cause to be removed, transplanted or cut down, any tree planted or growing in any street, lane or other public place, after 48 hours' notice in writing to the occupant of the land, opposite to which such tree is planted or growing, without being liable to pay compensation to the owner or occupant of such land;

Notice.

- (d) The notice mentioned in clause c may be given by leaving it with a grown-up person resident upon the land, or if the land is unoccupied, by posting it in a conspicuous place on the land;

Liability for  
negligence.

- (e) Neither the Corporation nor any person acting under the authority of a by-law passed for any of the purposes mentioned in the preceding clauses of this section, shall incur any liability by reason of anything done under the authority of such by-law, if reasonable care, skill and judgment are exercised in the doing of it.

Power to  
grant fixed  
assessment  
of \$100,000  
on pro-  
posed  
hockey rink.

**14.**—(1) The Council of the said Corporation may, by by-law which shall not require for its validity the assent of the electors qualified to vote on money by-laws, grant a fixed assessment of \$100,000 for a period not exceeding ten years from and including the year 1924, upon the following lands, namely: Lots Numbers 8, 9 and 10, and the southerly four feet from front to rear of Lot Number 11, all on the East side of Champagne Avenue, as shown on a registered plan prepared by R. Sparks, P.L.S., dated 28th October, 1875, and the southerly 235 feet of Lot Number 38 as shown on the said plan, which lands are more particularly described in registered Deed Number 133,457, dated November 9th, 1915, and upon such building or buildings as may be hereafter erected thereon for use as an artificial ice auditorium, hockey and skating rink.

Conditions.

- (2) The fixed assessment authorized by subsection 1 of this section shall be granted subject to the condition that the Auditorium Limited shall erect and complete a modern fireproof artificial ice auditorium, hockey and skating rink

upon the said lands, having a seating capacity of not less than six thousand persons. Should the said lands and buildings, or any part or parts thereof at any time during the period for which such fixed assessment has been granted, cease to be used for the purpose of an artificial ice auditorium, hockey and skating rink, the said lands and buildings, or such part or parts thereof as shall cease to be used for such purposes, shall from and after the end of the then current year be assessed and rated in like manner as they would have been assessed and rated had such by-law not been passed.

(3) Notwithstanding the passing of a by-law granting such fixed assessment, the said lands and buildings shall continue to be assessed and rated for school, collegiate, and water rate purposes in the same manner and to the same extent as if such by-law had not been passed.

**15.** The Council of the said Corporation may, by by-law, establish a fund to provide for the payment of pensions, allowances or gratuities, to employees of the Corporation, who have become temporarily or permanently disabled while in the service of the Corporation, or who have retired or are about to retire from the service of the Corporation, and to the relatives or dependents of employees who have died while in the service of the Corporation, and may by such by-law define and limit the class, or classes, of employees and persons entitled to share in the pensions, allowances and payments to be paid out of the said fund, and may make grants of money out of its annual revenues to such fund, and may require all such employees as may be included within the scheme of such fund to contribute annually or at other fixed periods, a certain amount out of, or a fixed percentage of, the salary or wages of each such employee, to such fund, which amount or percentage may be determined by, and vary with, the age, health, length of service or salary of such employee.

Power to  
establish  
Pension  
Fund for  
municipal  
employees.

**16.** This Act may be cited as *The City of Ottawa Act, 1923*. Short title.

**17.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

No. 19.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the  
City of Ottawa.

1st Reading	1923.
2nd Reading	1923.
3rd Reading	1923.

*(Private Bill).*

MR HILL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of Ottawa.

**W**HEREAS the Corporation of the City of Ottawa has presented a petition praying that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Ottawa Act, 1923*.

2. The Council of the said Corporation may provide by By-law for borrowing, and may borrow, upon debentures of the Corporation, payable within thirty years from their date of issue, a sum of money not exceeding \$125,000 and may expend the same in constructing and extending water mains and water services.

3.—(1) The Council of the said Corporation may provide by by-law for borrowing, and may borrow, upon debentures of the Corporation, payable within twenty years from their date of issue a sum of money not exceeding \$40,000 for the purpose of acquiring a site for, and erecting thereon, a fire hall in the south-westerly section of Dalhousie Ward.

(2). The Corporation may acquire the land required as a site for such fire hall by expropriation, in the manner and with the authority conferred by Part XV of *The Consolidated Municipal Act, 1922*.

(3) Should the Corporation exercise the powers conferred by subsection 1 of this section, it shall, on and after the completion of such fire hall, remove the fire apparatus and equipment from the Fairmont Avenue fire hall, and may thereafter sell or otherwise dispose of the said fire hall and the land upon which the same is situate.

4.—(1) The Council of the said Corporation may provide by by-law for borrowing, and may borrow, upon debentures payable within twenty years from their date of issue, a sum

not exceeding \$20,000 with which to provide a part of the cost of acquiring a new site for a fire hall, and of erecting and equipping a fire hall in Rideau Ward.

Existing fire hall to be sold before new hall is erected.

(2) The authority conferred by subsection 1 of this section shall not be exercised, unless and until the Corporation shall have sold and have received payment for the existing fire hall and premises in Rideau Ward, which sale the Corporation is hereby authorized to make, and then only if the total of the sum realized upon a sale thereof, and the said sum of \$20,000 is sufficient, in the opinion of some competent architect appointed by the Corporation for that purpose, to provide for the cost of acquiring such new site as the Corporation may propose to acquire, and of erecting and equipping a new fire hall thereon, in accordance with the plans and specifications submitted by such architect.

Report of Committee before sections 3 and 4 come into force

**5.** Sections 3 and 4 shall not come into force or take effect until a report has been submitted by a committee consisting of a member of the Board of Control, the Deputy Fire Marshal of Ontario, the Commissioner of Works of the Corporation, the Chief of the Ottawa Fire Department, and the Chairman of the Town Planning Commission of the City of Ottawa, recommending the passage of such by-law or by-laws nor unless and until such report has been adopted by the Council of the Corporation.

Power to borrow \$50,000 for Royal Ottawa Sanatorium.

**6.** The Council of the said Corporation may provide by by-law for borrowing, and may borrow, upon debentures, payable within twenty years from their date of issue, a sum not exceeding \$50,000 for the purpose of defraying such part of the cost of acquiring additional lands for the Royal Ottawa Sanatorium, and of erecting additional hospital buildings thereon, as shall exceed the amount of certain contributions made to the Corporation by E. C. Whitney, Esq., and others, for such purposes.

Assent of electors

**7.—(1)** It shall not be necessary for the Corporation to obtain the assent of the electors of the City of Ottawa, qualified to vote on money by-laws, to the passing of any or all of the debenture by-laws which may be passed under the provisions of sections 2, 3, 4 and 6 of this Act, nor to observe in respect thereto, the formalities prescribed by *The Consolidated Municipal Act, 1922* in relation to the passing of money by-laws.

1922, c. 72.

Interest rate and mode of payment.

(2) All such debentures shall bear interest at such rate or rates as the Council of the said Corporation may determine, and the principal thereof, and the interest thereon, may be made payable in any manner authorized by *The Consolidated Municipal Act, 1922*.

1922, c. 72.



(3) The Corporation, instead of borrowing the separate sums authorized to be borrowed by sections 3, 4 and 6 of this Act, may consolidate the same, and may provide by a single by-law for borrowing the aggregate of such separate sums, and for issuing one series of debentures therefor. Such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing which it authorizes, and the purposes for which such sums are to be expended.

8. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action against the Corporation of the City of Ottawa for the recovery of the amount thereof, or any part thereof, or the interest thereon.

9. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 1 of this Act, there shall be annually raised by the Corporation during the currency of the said debentures, with the authority conferred upon the Corporation, in and by the Act passed in the thirty-fifth year of the reign of Her late Majesty, Queen Victoria, chaptered 80, and intituled, *An Act for the Construction of Waterworks for the City of Ottawa* from the water rates, a sum sufficient to discharge the said debt and interest when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and the cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore authorized to be contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected, by the said Corporation, by a special rate upon the assessable property of the said Corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

10. The Corporation may expend any part of the money raised by the sale of the debentures authorized to be issued by by-law Number 5406, passed pursuant to the provisions of clause a of section 2 of *The City of Ottawa Act, 1922*, for the purpose of acquiring or expropriating such lands and buildings as the Corporation may determine by by-law to acquire or expropriate, in order to improve, widen, or extend the approaches to the bridge across the Rideau River at St. Patrick Street, and in extending, widening and improving such approaches.

Grant to  
Kiwanis  
Club  
confirmed.

**11.** The payment of \$2,000 made by the Council of the said Corporation in the year 1920, to the Kiwanis Club of Ottawa, for the purpose of paying certain accounts incurred in a campaign for promoting the safety of pedestrians and others on the streets in the said City, is hereby confirmed and declared to be, and to always have been legal, valid and binding upon the said Corporation.

Power to  
undertake  
works as  
local im-  
provements  
before re-  
tirement of  
debentures  
which pro-  
posed works  
will replace,  
Rev. Stat.  
c. 193.

**12.—(1)** The Council of the said Corporation may provide by a by-law or by-laws to be passed under the provisions of, and with the authority conferred by *The Local Improvement Act*, for undertaking and completing, and may undertake and complete, the pavements specified in clauses *a* and *b* of this subsection, and may assess and levy the cost thereof, in the manner authorized by the said Act, notwithstanding that the estimated lifetime of the pavements which such pavements will replace, either in whole or in part, has not expired, and that the debentures issued to provide for the cost thereof, have not been redeemed:

- (a) An asphalt and wood-block pavement on Bank Street, from Pretoria Avenue to Wilton Crescent;
- (b) An asphalt and wood-block pavement on St. Patrick Street, from Dalhousie Street to the westerly approach to the St. Patrick Street Bridge.

Council  
shall pay  
out of  
general fund  
balance re-  
maining on  
existing  
work.

**(2)** The Council shall annually, in and after the year in which the first instalment of the principal of and of interest on, the debentures issued to provide for the cost of constructing the pavement authorized by clause *a* of subsection 1 of this section, becomes payable, raise and pay out of its general funds all such sums as would otherwise during such years, be assessed against, and payable by, the owners of the lands specified in section 2 of by-law Number 3480; and shall also annually, in and after the year in which the first instalment of the principal of and of interest on the debentures issued to provide for the cost of constructing the pavements specified in clause *b* of subsection 1 of this section becomes payable, raise and pay out of its general funds all such sums as would otherwise during such years be assessed against and payable by the owners of the lands specified in section 5 of by-law Number 3480.

Exemption  
of lands of  
Ottawa  
Auxiliary  
Bible Society  
from  
municipal  
taxation.

**13.** The Council of the said Corporation may, by by-law, which shall not require for its validity the assent of the electors qualified to vote on money by-laws, exempt from all municipal rates and taxes, other than school and collegiate institute, water and local improvement rates, a parcel of land belonging

to the Ottawa Auxiliary Bible Society, being composed of parts of lots Numbers 35 and 36 on the north side of Lisgar Street; of the south half of Lot Number 3, on the east side of Bank Street, and of the southerly eleven feet of Lot Number 36 on the south side of Nepean Street, as is more particularly described in a certain Deed from Hazel H. Bowles to the said Society, dated November 1st, 1922, and registered in the Registry Office for the City of Ottawa as Number 166,200, and the buildings now or hereafter erected thereon, so long as the said lands and buildings shall continue to be used for the purposes of the said Society; provided that should the said land or buildings, or any part or parts thereof, be used at any time for any other purposes than those of the said Society, the said exemption shall terminate and the said lands and buildings shall thereafter be assessed and rated in like manner, and to the same extent as they would have been assessed and rated had such by-law not been passed.

**14.**—(1) The Council of the said Corporation may by by-law, which shall not require for its validity the assent of the electors qualified to vote on money by-laws, grant a fixed assessment of \$15,000 for a period not exceeding ten (10) years, from and including the year 1924, upon that certain parcel of land belonging to the Ottawa Tennis and Bowling Association, Limited, containing by admeasurement 4 and 9/10 acres more or less, and more particularly described in a certain Deed from the Ottawa South Property Company to the said Association, dated the 1st day of May, 1922, and registered in the Registry Office for the City of Ottawa as Number 163,929, and upon the buildings now or hereafter during the said period erected thereon for the use of the said Association. Should the said lands and buildings, or any part or parts thereof, be used at any time during the period for which such fixed assessment may be granted, for any purposes other than the purposes of a lawn tennis and bowling association, then such lands and buildings or such part or parts thereof, as shall be used for such purposes shall thereafter be assessed and rated in the same manner and to the same extent as they would have been assessed and rated if such by-law had not been passed.

(2) The lands and buildings of the said Association, notwithstanding the passing of a by-law as authorized by subsection 1 of this section, shall continue to be assessed and rated for school, collegiate institute and water rates, in the same manner and to the same extent as the said lands and buildings would have been assessed and rated if such by-law had not been passed.

**15.** Notwithstanding the provisions of *The Consolidated Municipal Act, 1922*, or of any other Act of the Legislature,

Power to grant fixed assessment to Ottawa Tennis and Bowling Club. Ltd,

School taxes and water rates not affected.

Power to pass by-laws authorizing:

the Council of the said Corporation may by by-law, authorize the Commissioner of Works, or any committee appointed by the Council to:—

Planting of trees in public places.

- (a) Plant or cause to be planted trees in the streets, lanes and other public places of the municipality;

Trimming.

- (b) Trim or cause to be trimmed all trees on private property, the branches of which extend over the street, lane or other public place;

Transplanting, etc., on 48 hours' notice to occupant.

- (c) Remove, transplant, or cut down, or cause to be removed, transplanted or cut down, any tree planted or growing in any street, lane or other public place, after 48 hours' notice in writing to the occupant of the land, opposite to which such tree is planted or growing, without being liable to pay compensation to the owner or occupant of such land;

Notice.

- (d) The notice mentioned in clause c may be given by leaving it with a grown-up person resident upon the land, or if the land is unoccupied, by posting it in a conspicuous place on the land;

Liability for negligence.

- (e) Neither the Corporation nor any person acting under the authority of a by-law passed for any of the purposes mentioned in the preceding clauses of this section, shall incur any liability by reason of anything done under the authority of such by-law, if reasonable care, skill and judgment are exercised in the doing of it.

Power to grant fixed assessment of \$100,000 on proposed hockey rink.

**16.**—(1) The Council of the said Corporation may, by by-law, which shall not require for its validity the assent of electors qualified to vote on money by-laws, grant a fixed assessment of \$100,000 for a period not exceeding Ten (10) years, from and including the year 1924, upon following lands, namely, lots numbers 9 and 10, on the south side of Argyle Avenue; lots numbers 9 and 10, on the north side of Catherine Street, and lots numbers 9, 10, 11 and 12, on the east side of O'Connor Street, in the City of Ottawa, all of which lots are shown on a plan prepared by W. R. Thistle, P.L.S., dated November 29th, 1871, and of record in the Registry Office for the City of Ottawa as number 30, and upon such building or buildings as may be hereafter erected thereon for use as an artificial ice auditorium hockey and skating rink.

(2) The fixed assessment authorized by subsection 1 <sup>Conditions.</sup> of this section shall be granted subject to the condition that the Auditorium Limited shall erect and complete a modern fireproof artificial ice auditorium, hockey and skating rink upon the said lands, having a seating capacity of not less than six thousand persons. Should the said lands and buildings, or any part or parts thereof at any time during the period for which such fixed assessment has been granted, cease to be used for the purpose of an artificial ice auditorium, hockey and skating rink, the said lands and buildings, or such part or parts thereof as shall cease to be used for such purposes, shall from and after the end of the then current year be assessed and rated in like manner as they would have been assessed and rated had such by-law not been passed.

(3) Notwithstanding the passing of a by-law granting <sup>School and water rates not affected.</sup> such fixed assessment, the said lands and buildings shall continue to be assessed and rated for school, collegiate, and water rate purposes in the same manner and to the same extent as if such by-law had not been passed.

**17.**—(1) The Council of the said Corporation may, by by-law, establish a fund to provide for the payment of pensions, allowances or gratuities, to employees of the Corporation, who have become temporarily or permanently disabled while in the service of the Corporation, or who have retired or are about to retire from the service of the Corporation, and to the relatives or dependents of employees who have died while in the service of the Corporation, and may by such by-law define and limit the class, or classes, of employees and persons entitled to share in the pensions, allowances and payments to be paid out of the said fund, and may make grants of money out of its annual revenues to such fund, and may require all such employees as may be included within the scheme of such fund to contribute annually or at other fixed periods, a certain amount out of, or a fixed percentage of, the salary or wages of each such employee, to such fund, which amount or percentage may be determined by, and vary with, the age, health, length of service or salary of such employee. <sup>Power to establish Pension Fund for municipal employees.</sup>

■ (2) With respect to grants now or hereafter made to widows or dependents of deceased employees of the Corporation, subsection 1 shall be read as though it had been in effect from and after the 1st day of January, 1920. ■

**18.** This Act shall come into force and take effect on the <sup>Commencement of Act.</sup> day upon which it receives the Royal Assent.

No. 19.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the  
City of Ottawa.

1st Reading	February 16th, 1923.
2nd Reading	1923.
3rd Reading	1923.

(*Reprinted as amended by the  
Private Bills Committee.*)

MR. HILL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Village of Port Stanley.

**W**HEREAS the Municipal Corporation of the Village of Preamble  
Port Stanley has, by petition, represented that certain lands were conveyed in the year 1912 by The Erie Amusement Company, Limited, and others (herein called the Company) by registered deed 2327 for Port Stanley and by The London and Port Stanley Railway Company (herein called the Railway) by registered deed 2412 for Port Stanley to the Village of Port Stanley, said lands forming a strip of land 49 feet wide and extending along the beach of Lake Erie from William Street to the west limit of lot 18 south of Front Street on registered plan 117 and intended to be a continuous parcel of land, for a public street, and by-law number 518 was passed by the Council of the said Village to take over and establish such street; and whereas, when the Village of Port Stanley started to make improvements thereon it was discovered that the lands granted by the Railway were incorrectly described so that they lay entirely out of the line of the lands granted on the east and west thereof by the Company for said street and thereupon the Council of the Village of Port Stanley passed by-law number 537 to repeal said by-law number 518 and other lands were deeded to the Village by the Railway in exchange for those formerly deeded to the Village (which latter were thereupon reconveyed to the Railway) and other lands on either side of the land already deeded to the Village by the Company were also deeded by the Company to the Village so that a street 50 feet in width continuously was vested in the Village and the said lands were established as a highway or road by by-laws numbers 559 and 574 which made a continuous road or street 50 feet in width from William Street to the west limit of lot 18 south of Front Street on registered plan number 117 and named The Edith Cavell Boulevard and it is advisable to have the said by-laws validated and confirmed; and whereas the Village of Port Stanley constructed as local improvements, roadways, sidewalks and curbs on the said street as established by by-laws numbers 559 and 574 (except that part conveyed by the Railway on which the said Railway

constructed the same itself) and have issued debentures to pay for the work on the eastern portion of the said street (established by by-law number 559) and by-laws number 590 and 591 were passed and debentures issued and sold to pay for the same, and the works have been constructed on the western portion of the street (established by by-law number 574) west of the Railway lands, but by a misunderstanding a construction by-law was not passed until the work had been practically completed and by-laws numbers 602, 603 and 604 have been passed by the Council of the Village of Port Stanley to raise the money to pay for the said works and it is desirable to have the said by-laws validated so that the debentures provided for thereunder may be issued and sold to provide the money to pay for the cost thereof; and whereas, the Corporation of the Village of Port Stanley have by petition prayed that such by-laws and all special assessments made thereby and all debentures issued or to be issued thereunder may be validated and confirmed and that the said street may be established and confirmed as a public highway; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Village of Port Stanley Act, 1923*.

By-laws Nos. 557, 559, 574 of the Village of Port Stanley confirmed.      **2.** By-laws numbers 537, 559 and 574 of the Corporation of the Village of Port Stanley set forth in schedule "1" hereto are hereby validated and confirmed and the lands described in said by-laws numbers 559 and 574 are hereby declared to be a public street or highway under the name of "The Edith Cavell Boulevard."

By-laws specified in Schedule 2 confirmed.      **3.** The by-laws of the said Corporation, specified in schedule "2" hereto and all debentures issued or to be issued thereunder, and all assessments made or to be made, and all rates levied or to be levied for the payment thereof, are validated and confirmed, and the said Corporation is declared to have had power to pass, issue and levy the same.

Commencement of Act.      **4.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



## SCHEDULE 1.

BY-LAW No. 537.

To repeal By-law No. 518. Passed December 13th, 1920.

Whereas by By-law No. 518 the Corporation of the Village of Port Stanley proposed to establish a road in the said Village as consisting of the lands referred to in Schedules "A" and "B" hereto annexed which said By-law was duly registered in the Registry Office for the County of Elgin, as No. 3460, for Port Stanley. And

Whereas the said By-law was passed in the belief that the said lands described in said Schedules formed a continuous strip extending from the west limit of William Street to the west limit of Lot No. 18 south of Front Street. And

Whereas it has been discovered that the said lands do not form a continuous strip but that the northern boundary of the lands mentioned in Schedule "B" to the said By-law is identical with the southern boundary of the lands mentioned in Schedule "A" of said affidavit so that the lands mentioned in said Schedule "B" lie entirely south of the lands mentioned in Schedule "A." And

Whereas nothing has been done under or pursuant to said By-law No. 518, and it is expedient that said By-law No. 518 should be repealed as it is impossible to construct a continuous street over the lands mentioned therein and make a through thoroughfare as intended.

The Corporation of the Village of Port Stanley enacts as follows:—

1. That By-law No. 518 be and the same is hereby repealed.
2. That this By-law shall come into force and effect forthwith.

Read a First, Second and Third time and finally passed this 13th day of December, A.D. 1920.

(Sgd.) N. S. CORNELL,  
*Reeve.*

(SEAL.)

(Sgd.) J. S. ROBERTSON,  
*Clerk.*

## SCHEDULE "A."

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Village of Port Stanley, in the County of Elgin, and being composed of,

Firstly, Being a strip of land 49 feet in width, composed of parts of Village Lots 6, 7, 8, 9, 10, 11, 12, 13 and 14, south of Erie Street and west of William Street, and Lot 15 west of Sydenham Street, all according to registered Plan 117, such strip being particularly described as follows:—

Commencing in the west limit of William Street at a point 535 feet 9 inches south from the south limit of Erie Street, thence westerly parallel to Erie Street, 3 chains to the westerly limit of said Lot 8; thence continuing westerly parallel to the south limit of the Railway Extension running through the said Lots (which Railway Extension is more fully described in a certain Conveyance made by Fannie Meek and Thomas Meek unto the London & Port Stanley Railway Company, and registered as Number 900 for Port Stanley) to the westerly limit of said Lot 15; thence south along the said west limit of said Lot 15, 49 feet to a point therein; thence easterly parallel to the said southerly limit of said Railway Extension to the east limit of said Lot 9; thence east parallel to Erie Street aforesaid to the west limit of William Street; thence north along the west limit of William Street 49 feet to the place of beginning.

Secondly, a strip of land 49 feet in width composed of those parts of Block 25 in said Plan 117 and of Lots 24, 23, 22, 21, 20, 19 and 18 on the south side of Front Street, Plan 117, described as follows:—

Commencing in the west limit of Lot 15 west of Sydenham Street above mentioned, at the northwest angle of the strip of land firstly above described; thence north 74 degrees 48 minutes west 555 feet 6 inches; thence north 85 degrees 18 minutes west to the east limit of Block 25 in Plan 117, this being the actual point of beginning of description; thence north 85 degrees 18 minutes west 221 feet to a point; thence north 74 degrees 41 minutes west 669 feet 8 inches to the line between Lots 17 and 18, and having a width on the southerly side of and at right angles to the above described line of 49 feet.

#### SCHEDULE "B."

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Village of Port Stanley in the County of Elgin and Province of Ontario, and being composed of those parts of Lots Numbers One, Two, Three, Four and Five on the south side of Smith Street and west of Sydenham Street in the said Village of Port Stanley, as shown on Plan No. 117m and which may be better known and described as follows, that is to say:—

Commencing on the east limit of said Lot Number Five at the distance of one hundred and seventy-seven feet, six inches southerly from the southerly limit of the right-of-way of The Lake Erie & Detroit River Railway, now crossing the Lot; thence north seventy-four degrees forty-eight minutes west, five hundred and fifty-five feet, six inches; thence north eighty-five degrees eighteen minutes west, one hundred and ten feet more or less to its intersection with the westerly limit of said Lot Number One, and having a width on each side of this centre line of twenty-four feet six inches at right angles thereto across said Lots One, Two, Three, Four and Five on the south side of Smith Street; reserving, however, unto the said The London & Port Stanley Railway Company their successors, lessees, licensees and assigns, and each and every of them, the right at any time or times hereafter, to lay, construct, and build, and thereafter for all times to maintain a railway track or tracks, or line of railway along the said lands, or any part thereof, for the uses of the said Railway.

#### By-LAW No. 559.

To establish a Road in the Village of Port Stanley. Passed the 12th day of May, 1921.

Whereas By-law No. 518 of this Village was passed on the 10th day of May, for the purpose of establishing a certain road on lands mentioned in Deed from the Erie Amusement Company, Limited, to this Village, registered as Number 2327 for Port Stanley and in Deed from The London & Port Stanley Railroad Company to this Village registered as Number 2412 for Port Stanley. And

Whereas after the passing of said By-law 518, it was discovered that the lands did not form a continuous street and By-law No. 537 was passed repealing the said By-law No. 518. And

Whereas after considerable negotiations the lands mentioned in Schedules hereto marked "A" and "B" were conveyed to the Village by the Erie Amusement Company, Limited, in lieu of the lands mentioned in said Registered Deed Number 2327 in order that the same might be used for a road or street and which said lands correspond in location to a great extent with the lands mentioned in the said Deed Number 2327, the said lands mentioned in the said Deed Number 2327 having been reconveyed to the said Erie Amusement Company, Limited, by the Village in consideration of the conveyance to this Village of the lands mentioned in Schedules hereto marked "A" and "B." And

Whereas this Council considers it expedient only at present to establish a street consisting of the lands described in Schedule "A" hereto annexed.

The Council of the Corporation of the Village of Port Stanley therefore enacts as follows:—

1. That this Corporation do take over, open, assume and accept for the purpose of a street the said lands described in Schedule "A" hereto annexed.

2. That a new Highway be established in the Village having its eastern boundary the west limit of William Street and its western boundary the west limit of Lot Number 15, west of Sydenham Street, according to Registered Plan Number 117 and which said new Highway shall consist of the lands particularly described in Schedule "A" hereto annexed.

3. That the said Highway shall be known as the "Edith Cavell Boulevard."

4. That this By-law shall come into force and effect forthwith.

Read a First, Second and Third time and finally passed this 12th day of May, A.D. 1921.

(Sgd.) GEO. H. JACKSON,  
*Reeve.*

(SEAL.)

(Sgd.) J. S. ROBERTSON,  
*Clerk.*

#### SCHEDULE "A."

All and singular that certain parcel or tract of land and premises situate, lying and being in the Village of Port Stanley and the County of Elgin, and being composed of parts of Lots Six to Fourteen, both inclusive, south of Erie Street and part of Lot Fifteen west of Sydenham Street according to Registered Plan No. 117, more particularly described as commencing in the west limit of William Street at a point distant five hundred and thirty-five feet, three inches measured southerly along the westerly limit of William Street from the south limit of Erie Street; thence north eighty-seven degrees fifty minutes west a distance of one hundred and ninety-eight feet more or less to the line between said Lots Eight and Nine, thence north eighty-eight degrees three minutes (88.03') west a distance of five hundred and eleven feet, six inches more or less to a point in the west limit of said Lot Fifteen, which is one hundred and five feet eight inches south of the south limit of the right-of-way of The London & Port Stanley Railway, measured along the west limit of said Lot Fifteen and having a width of fifty feet on the southerly side of and at right angles to the said line above described.

#### SCHEDULE "B."

All and singular that certain parcel or tract of land and premises situate, lying and being in the Village of Port Stanley, and the County of Elgin, and being composed of:

Parts of Block Twenty-five (25) and Lots Twenty-four to Eighteen both inclusive, on the south side of Front Street according to said Plan 117, more particularly described as being composed of:

1. A strip of land having a width of six inches on the northerly side of and at right angles to the northerly limit of that portion of the roadway described as the "Second Parcel" in a Deed made by the Grantor to the Grantee, dated May 17th, 1912, and registered as No. 2327, for Port Stanley, and

2. A strip of land having a width of six inches on the southerly side of and at right angles to the southerly limit of that portion of the said roadway described as the said "Second Parcel" in the said Deed.

## BY-LAW No. 574.

To establish a Road in the Village of Port Stanley. Passed 24th day of November, 1921.

Whereas by By-law No. 559 of the Village of Port Stanley, certain lands were taken over to form a street called the "Edith Cavell Boulevard." And

Whereas further land in a line with the said street to the west has been acquired by the said Village to extend the said street westerly, over and across the said lands so acquired and establish the same as a Public Highway.

The Council of the Corporation of the Village of Port Stanley therefore enacts as follows:—

1. That this Corporation do take over, open, assume and accept for the purposes of a street the lands described in the Schedules "A" and "B" hereto annexed.

2. That the new Highway be established in the said Village of Port Stanley having its easterly boundary the west limit of Lot 15, west of Sydenham Street, and its westerly boundary the west limit of Lot 18, south on Front Street according to Registered Plan No. 117, and which new Highway shall consist of the lands particularly described in Schedules "A" and "B" hereto annexed.

3. That the said Highway shall be known as the "Edith Cavell Boulevard Extension."

4. That this By-law shall come into force and effect forthwith.

Read a First, Second and Third time and finally passed this 24th day of November, 1921.

(Sgd.) GEO. H. JACKSON,  
*Reeve.*

(SEAL.)

(Sgd.) J. S. ROBERTSON,  
*Clerk.*

## SCHEDULE "A."

All and singular that certain parcel of tract of land and premises situate, lying and being in the Village of Port Stanley, in the County of Elgin, and being composed of parts of Village Lots Numbers One, Two, Three, Four and Five, south of Smith Street, as shown on Registered Plan No. 117, and particularly described as a strip of land fifty feet in width and uniform throughout, extending westerly from the easterly limit of said Lot Five, to the westerly limit of said Lot One, the centre line of which strip may be defined and described as follows:—Commencing at a point in the easterly limit of Lot Number Five, distant one hundred and thirty feet and eight inches measured southerly along the said limit from the southerly limit of the Railway right-of-way of the grantor through said Lot; thence north eighty-seven (87) degrees fifty (50) minutes west thirty-five (35) feet; thence north seventy (70) degrees fifty-five (55) minutes west, two hundred and fifty-three (253) feet and ten (10) inches to a point; thence north seventy-nine (79) degrees fifty-seven (57) minutes west, four hundred and thirty-six (436) feet and five (5) inches more or less to a point in the westerly limit of said Lot Number One (1) distant one hundred and thirty-one (131) feet and eight (8) inches southerly along the said last mentioned limit from the centre line of the most southerly track on the grantor's railway right-of-way through said Lot One (1).

## SCHEDULE "B."

All and singular those certain parcels or tracts of lands, situate, lying and being in the Village of Port Stanley and being composed of the piece of land secondly described in a Conveyance from the Erie Amusement Company, Limited, and others to the Corporation of the Village of Port Stanley, dated the 17th day of May, 1912, and registered in the Registry Office for the County of Elgin, on the 11th day of June, 1912, as Number 2327, for Port Stanley and described as follows:—

(a) A strip of land 49 feet in width composed of those parts of Block 25 on said Plan 117 and of Lots 24, 23, 22, 21, 20, 19 and 18 on the south side of Front Street, Plan 117, described as follows:—

Commencing in the west limit of Lot 15 west of Sydenham Street above mentioned at the northwest angle of the strip of land firstly described in the above mentioned Deed No. 2327 for Port Stanley; thence north 74 degrees 48 minutes west 555 feet 6 inches; thence north 85 degrees 18 minutes west to the east limit of Block 25 on Plan 117, this being the actual point of beginning of description; thence north 85 degrees 18 minutes west 221 feet to a point; thence north 74 degrees 41 minutes west 669 feet 8 inches to the line between Lots 17 and 18 and having a width on the southerly side of and at right angles to the above described line of 49 feet.

(b) Parts of Block Twenty-five (25) and Lots 24 to 18 both inclusive, on the south side of Front Street according to said Plan 117, more particularly described as being composed of:—

(1) A strip of land having a width of six inches on the northerly side of and at right angles to the northerly limit of that portion of the roadway described as the "Second Parcel" in a Deed made by the Erie Amusement Company, Limited, to the Corporation of the Village of Port Stanley, dated May 17th, 1912, and registered as No. 2327 for Port Stanley. And

(2) A strip of land having a width of six inches on the southerly side of and at right angles to the southerly limit of that portion of the said roadway described as the said Second Parcel in the said Deed.

## SCHEDULE 2.

No. of By-law	Nature of work under By-law all being Local Improvements	When passed by Council	Total cost of work	Amount to be borne by Village	Amount to be borne by ratepayers	Period of payment years	Rate of Interest
590	On Edith Cavell Boulevard from William Street to East Limit Lot 15 S. Smith Street.....	Apr. 18, 1922	937.64	67.86	869.78	10 years	6%
591	(a) 5-foot concrete walk and curb on North side road. (b) 10-foot combined concrete walk and curb on South side road.....	Apr. 18, 1922	1,721.53	124.60	1,596.93	10 years	6%
602	On Edith Cavell Boulevard from West limit of Lot 1 South Smith Street to West Limit Lot 18 South Front Street.....	Nov. 13, 1922	3,693.60	.....	3,693.60	5 years	6%
603	(a) 29-foot Roadway..... (b) 18-inch curb on South side road.....	Nov. 13, 1922	551.48	.....	551.48	5 years	6%
604	(c) 5-foot combined walk and curb North side road.....	Nov. 13, 1922	1,094.40	.....	1,094.40	5 years	6%



No. 20.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the Village of  
Port Stanley.

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1st Reading,	1923
2nd Reading,	1923
3rd Reading,	1923

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(*Private Bill*).

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MR. McVICAR.

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TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend the Act to incorporate  
the "Toronto Canoe Club."

**W**HEREAS the Toronto Canoe Club has, by its Petition <sup>Preamble</sup> represented that it should be enacted as herein set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Toronto Canoe Club Act*, <sup>short title</sup> 1923.

**2.** Section 1 of the Act passed in the second year of the <sup>1902</sup> reign of His late Majesty King Edward the Seventh, chapter <sup>c. 105, s. 1,</sup> 105, is amended by striking out the following words: "and with further power to hold the leasehold lands described in a lease from the corporation of the City of Toronto to one Thomas G. Elgie, which said lands are situate on the south side of Lake Street, in the City of Toronto, and extend to the new Windmill Line; and the said leasehold lands to hold, occupy, enjoy, alienate, dispose of, rent, let or lease on such terms as to rental or otherwise as the said "Toronto Canoe Club" may deem expedient, and subject to the terms and conditions of the said lease, and by the same name shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered unto on any manner whatsoever."

**3.** Section 6 of the said Act is repealed and the following <sup>1902,</sup> substituted therefor: <sup>c. 105, s. 6,</sup> amended

(6). It shall be lawful for the Club to issue debentures to such amount as it may deem necessary, not exceeding in the aggregate the sum of \$100,000 for not less than \$25 each.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend the Act to incorporate  
the "Toronto Canoe Club."

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. RAMSDEN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Township of East Flamboro.

**W**HEREAS the Municipal Corporation of the Township of East Flamboro has by its petition represented that such Corporation has incurred for the purpose of constructing roads and making improvements of a permanent character in connection with them, a floating indebtedness to the extent of Twenty-five thousand dollars (\$25,000); and whereas the said Corporation has by its petition represented that to pay off the said floating indebtedness of Twenty-five thousand dollars (\$25,000) now due and owing and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of the said Township; and whereas the said Corporation has prayed that the said floating indebtedness of Twenty-five thousand dollars, (\$25,000) be consolidated, and that it may be authorized to borrow by the issue and sale of debentures sufficient money to discharge the said floating indebtedness; and whereas it is expedient to grant the prayer of the said petition:

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said debts of the said Township of East Flamboro, referred to as a floating debt, are hereby consolidated at the sum of Twenty-five thousand dollars (\$25,000) and it shall be lawful for the said Corporation of the Township of East Flamboro to raise by way of a loan or loans on the credit of the said Corporation at large and by debentures as hereinafter mentioned, and by this Act authorized to be issued, from any person or persons or body corporate a sufficient sum to pay off the said floating indebtedness of Twenty-five thousand dollars (\$25,000).

Authority to  
raise  
debentures  
to pay off  
floating  
debt.

2. It shall be lawful for the said Corporation of the Township of East Flamboro to pass a By-law for the issue of debentures under its Corporate seal, in such sums, of not less than Fifty Dollars (\$50) and not exceeding Twenty-five

Term of  
debentures.

thousand dollars (\$25,000) in the whole, as the said Corporation may direct, and the principal sum secured by said debentures and the interest accruing thereon at any rate not exceeding six per cent. may be payable at such place or places as the said Corporation may deem expedient, and the sum realized upon the sale of such debentures shall be applied to discharge the said floating indebtedness of Twenty-five thousand dollars (\$25,000).

Equal  
annual  
instalments  
of principal  
and interest.

**3.** The said debentures shall be issued within one year after the passing of the By-law authorizing the same, and shall bear such rate of interest, not exceeding six per cent. per annum, as the Council may by By-law authorizing the same provide, and such debentures shall be payable in not more than ten years from the date of issue and the principal of the said debt shall be payable in yearly sums during a period not exceeding ten years, of such amounts respectively, that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years of the period in which the debentures are payable.

Special rate.

**4.** The said Corporation shall levy and collect in addition to all other rates to be levied in each year a special rate on all the rateable property in said Township of East Flamboro sufficient to pay the amount falling due annually for principal and interest in respect of the consolidated debentures issued under the authority of this Act.

Application  
of proceeds  
of  
debentures.

**5.** The said consolidated debentures and all moneys arising therefrom shall be applied by the said Corporation in discharging the said floating debt of Twenty-five thousand dollars (\$25,000).

Assent of  
electors not  
required.

**6.** It shall not be necessary to obtain the assent of the ratepayers of the said Township of East Flamboro to the passing of any by-law, which shall be passed, under the provisions of this Act, or to observe the formalities in relation thereto, prescribed by *The Consolidated Municipal Act, 1922*, in that behalf.

Treasurer to  
keep proper  
book of  
account.

**7.** It shall be the duty of the Treasurer of the said Township from time to time to keep, and it shall be the duty of each of the members from time to time of the said Municipal Council to procure such Treasurer to keep and see that he does keep a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of consolidated debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts thereof, and the times at which

the said consolidated debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said consolidated debentures, and the application which shall from time to time be made of the amounts so realized, and the said book of accounts and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said Township, and of any of the holders, from time to time, of the consolidated debentures, which shall be issued under the powers hereby conferred.

**8.** Any provision in *The Consolidated Municipal Act, 1922*, which is or may be inconsistent with the provisions of this Act or any of them shall not apply to the By-law to be passed by the said Corporation under the provisions of this Act, and no irregularity in the form of the said consolidated debentures or any of them by this Act authorized to be issued or of the By-law authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the said Corporation for the recovery of the amount of the said consolidated debentures and interest or any or either of them or any part thereof and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing any such By-law or of the issue of such consolidated debentures or as to the application of the proceeds derived from the sale thereof.

**9.** This Act may be cited as *The Township of East Flamboro Act, 1923*. Short title.

**10.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Township of  
East Flamboro.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. CROCKETT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to incorporate the Town of Mount Dennis.

**W**HEREAS Ralph Russell, Doctor William E. Pearson, Preamble  
Doctor Hernan Sproule, William Pellett, William  
King and other persons, inhabitants and ratepayers of that  
part of the Township of York, in the County of York, here-  
inafter particularly described, have by petition set forth  
that that part of the said Township of York hereinafter  
more particularly described, is a closely settled district,  
is largely urban in its character and that the inhabitants  
thereof number about ten thousand persons, and that it  
requires an urban or town municipal administration instead  
of being administered municipally as part of a township;  
and whereas in view of the said conditions, said petitioners  
have prayed that an Act be passed to separate the said  
district hereinafter particularly described and incorporate  
it as a town under the name of the Town of Mount Dennis;  
and whereas it is expedient to grant the prayer of the said  
petitioners;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:

**1.** This Act may be cited as *The Town of Mount Dennis* Short title  
*Act, 1923.*

**2.** The inhabitants of that portion of the Township of York described in Section 2 are hereby constituted a cor-<sup>Incorporation.</sup>  
poration or body politic under the name of the Corporation  
of the Town of Mount Dennis, separate and apart from  
the Township of York and as such shall enjoy and possess  
all the rights, powers and privileges of Town Municipalities  
under *The Consolidated Municipal Act, 1922*, together with  
all other powers or privileges that are now vested in the  
present municipality of the Township of York, in so far as  
the same may be applicable.

## Boundaries

**3.** The said Town of Mount Dennis shall comprise and consist of that part of the Township of York, described as follows:

1922, c. 72.

All and singular that certain parcel or tract of land composed of all of Lots 38, 39 and 40, Concession 3 from the Bay, parts of Lots 8 and 9 and all of Lot 10 in the Broken Front of Concession 3 from the Bay on the River Humber, all of Lots 1 and 2 and part of Lot 3 Concession 5, West of Yonge Street, part of Lot 3 and all of Lots 1 and 2, Concession 4, West of Yonge Street in the Township of York, which said parcel may be better described as follows: Commencing at a point where the centre line of Keele Street is intersected by the North limit of the City of Toronto; thence Westerly along said North limit of City of Toronto and continuing westerly along the centre line of Northland Avenue along the line between Lots 37 and 38, Concession 3, from the Bay and continuing Westerly along the line between Lots 7 and 8 in the Broken Front of Concession 3 from the Bay on the River Humber, to the centre line of Scarlett Road; thence Northerly following the centre line of Scarlett Road to the centre of the River Humber at the boundary of the Township of Etobicoke; thence Northerly following the centre of the River Humber to the centre line of Saint John's Road being the Southerly limit of the Town of Weston; thence Easterly along the Southerly limit of the Town of Weston to the Easterly limit of the Canadian Pacific Railway Right of Way; thence Southerly along said Easterly limit of Right of Way to the Southerly boundary of the Township of North York being the line between Lots 2 and 3 in the 4th Concession West of Yonge Street; thence Easterly along said limit of North York to the centre line of Keele Street; thence Southerly along the centre line of Keele Street to the centre line of Eglinton Avenue; thence Westerly along the centre line of Eglinton Avenue to a point in the production Northerly of the centre line of Keele Street in Concession 3 from the Bay; thence Southerly along the centre line of Keele Street aforesaid to the place of beginning.

## First Council.

1922, c. 72.

**4.** The first council of the said Town shall consist of a Mayor who shall be the head thereof, and six Councillors elected by general vote over the whole municipality and thereafter in accordance with *The Consolidated Municipal Act, 1922*.

## Returning officer; nomination meeting; date of polling.

**5.** William A. Clarke, Esq., Clerk of the Township of York, or the acting Clerk of the said Township for the time being, is hereby appointed returning officer for the purpose of the first election and he shall hold a meeting for the nomination of candidates for the offices of Mayor and Councillors at



twelve o'clock noon on the Twenty-third day of June, 1923,  
 at or at such other place in  
 said town as may be selected by the Returning Officer and  
 in case of the absence of the person appointed as Returning  
 Officer the electors present shall choose from among them-  
 selves a Chairman, who shall have all the powers of a Re-  
 turning Officer and the polling, if a poll is required, shall  
 be held on the Thirtieth day of June, 1923, and the returning  
 officer shall give at least six days notice of said election by  
 posting the same up in six conspicuous places in said Town of  
 Mount Dennis.

6. The polling sub-divisions for said election shall be the same as nearly as may be as at the last municipal election and if the boundary lines of the new municipality should divide any polling sub-division that portion of said polling sub-division which lies within the limits hereinbefore described, shall for the purpose of the vote be deemed a polling sub-division and when a polling sub-division is so divided the clerk of the Township of York shall strike off the list the names of all voters not qualified to vote in that part of the polling sub-division lying within the territory hereinbefore described. The last revised list of voters shall be the list used at said election. Polling sub-divisions.

7. The said returning officer by his warrant shall appoint a deputy returning officer for each of the polling sub-divisions and such returning officer and each deputy returning officer shall before the holding of the said election take the oath or affirmation required by law, and shall be subject to all the provisions of *The Consolidated Municipal Act, 1922*, applicable to returning officers and deputy returning officers at elections in towns, in so far as the same do not conflict with this Act, and the said returning officers shall have all the powers and perform all the duties devolving on town clerks in respect to elections in towns. Appoint-ment of deputy returning officers. 1922, c. 72.

8. The provisions of *The Consolidated Municipal Act, 1922*, shall apply to the said election. Application provisions. 1922, c. 72.

9. The qualification required of candidates at the first election shall be the qualification required under *The Consolidated Municipal Act, 1922*. Qualifica-tion of candidates.

10. The Mayor and Councillors shall hold office until the thirty-first day of December, 1923, or until their successors have been elected and have taken the declaration of qualification and of office. Term of office.

First  
meeting.

**11.** The first meeting of the council shall be held at twelve o'clock noon on the seventh day of July, 1923, at the place where the nomination meeting was held.

Separation  
from  
county.

**12.** Until the thirty-first day of December, 1923, the town shall be represented in the Council of the County of York by the Mayor and one other representative to be chosen by the Council of the Town of Mount Dennis from among the Councillors of said Town and upon the thirty-first day of December, 1923, the Town of Mount Dennis shall be separated from the County of York for municipal purposes and the assets and liabilities shall be adjusted as provided in *The Consolidated Municipal Act, 1922*, and if there should be any dispute same shall be settled by the Ontario Railway and Municipal Board and their decision shall be final.

1922, c. 72.

Application  
of  
provisions,  
Rev. Stat.  
c. 195, s. 23,  
s. 192, and  
special Acts.

**13.** The provisions of Section 23, of *The Assessment Act* as to the assessment of lands of non-residents and the provisions of section 192 of that Act relating to the collection of arrears of taxes on land and the sale of land for arrears of taxes shall apply to the Town of Mount Dennis as if the Town of Mount Dennis were specially named therein, and the provisions of all special Acts of this Legislature relating to the Township of York in so far as they are applicable, shall apply to and be in force in the Town of Mount Dennis.

Arrears of  
taxes—  
collection by  
officers of  
Town.

**14.** The Township of York shall furnish the Council of the Town of Mount Dennis with a full and complete list of all lands in arrear for taxes at the time of the coming in force of this Act and the Mayor and the Treasurer of the Town of Mount Dennis shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the said officers in the Township of York. The Reeve and officers of the Township of York shall have full power and authority to make deeds for lands heretofore sold by the Treasurer of the Township of York for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed.

Assessment  
rolls;  
appeals.

**15.** The assessment roll when completed by the assessors of the Township of York for the year 1923, in so far as the same affects property within the limits of the said Town of Mount Dennis shall be valid to all intents and purposes as if the same assessors had been appointed by the Council of the Town of Mount Dennis and the Township of York shall furnish to the Council of the Town of Mount Dennis upon the organization of the said Town of Mount Dennis a true and complete copy of the said assessment roll if the

same has then been completed and the Council of the Town of Mount Dennis shall be the Court of Revision to hear any appeals which may be made against the said assessment and any appeals that may have been made to the Township of York shall be deemed to have been made to the Town of Mount Dennis, providing that the said Assessment Roll has not already been revised by the Court of Revision for the Township of York.

**16.** The provisions of *The Consolidated Municipal Act, 1922*, as to matters consequent on the erection of a district into a village or town including the adjustment of assets, debts, arrears of taxes, contracts and liabilities shall apply except:

Adjustment  
of assets and  
liabilities...  
1922, c. 72

- (a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board.
- (b) The taxes for the year 1923 on the rateable property within the limits of the said Town of Mount Dennis shall be levied by and belong to the Town of Mount Dennis and the Town of Mount Dennis shall pay over to the Township of York such portion of the taxes collected in 1923 as may be fixed and determined by the Ontario Railway and Municipal Board. The expenditures and liabilities for the year 1923 shall be considered by the said Board in determining the amount payable to the Township of York.
- (c) The said Board for the purpose of this Act shall be deemed to be the Board of Arbitrators appointed under *The Consolidated Municipal Act, 1922*, and the award of the Board shall be final and conclusive and without appeal.

**17.** For the purpose of providing moneys which may be required for the payment of any debt which may be found due or owing by the Town of Mount Dennis to the Township of York, the Municipal Council of the Town of Mount Dennis may issue debentures payable within a period not exceeding twenty years and bearing such rate of interest as may be determined by the said Council to pay such debt, and it shall not be necessary to obtain the assent of the electors to any by-law for the issuing of such debentures.

Power to  
borrow  
money on  
debentures  
for payment  
of debts  
owed by  
town.

**18.** That the School Sections in said Town shall continue as they are at present until the election of a Board of Education for said Town of Mount Dennis as hereinafter pro-

School  
sections and  
Board of  
Education.

vided. At the municipal election for the year 1924 the Clerk of the Town of Mount Dennis as Returning Officer, shall cause an election to be held under *The Public Schools Act, 1920*, and *The Consolidated Municipal Act, 1922*, of a Board of Education for said Town of Mount Dennis, the number of Trustees to be the number required by the Statute in that behalf.

Expenses of  
Act.

**19.** All expenses incurred in obtaining this Act, including the furnishing of any documents, copies of papers, writings, deeds, the remuneration of the Clerk of the Township of York for services under this Act or any matter whatsoever required by the clerk or other officer of the said Town of Mount Dennis or otherwise, shall be borne by the said Town of Mount Dennis and paid by it to any person entitled thereto.



No. 23.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate the  
Town of Mount Dennis.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.


# BILL

## An Act to incorporate the Town of Mount Dennis.

**W**HEREAS Ralph Russell, Doctor William E. Pearson, Preamble.  
Doctor Herman Sproule, William Pellett, William King and other persons, inhabitants and ratepayers of that part of the Township of York, in the County of York, hereinafter particularly described, have by petition set forth that that part of the said Township of York hereinafter more particularly described, is a closely settled district, is largely urban in its character and that the inhabitants thereof number about ten thousand persons, and that it requires an urban or town municipal administration instead of being administered municipally as part of a township; and whereas in view of the said conditions, said petitioners have prayed that an Act be passed to separate the said district hereinafter particularly described and incorporate it as a town under the name of the Town of Mount Dennis; and whereas it is expedient to grant the prayer of the said petitioners;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Town of Mount Dennis Act, 1923.* Short title

 **2.** It shall be the duty of the Corporation of the Township of York for the time being, within four weeks after the day on which this section comes into force to submit to the municipal electors in that part of the Township of York described as follows: All and singular that certain parcel or tract of land composed of parts of lots 38, 39 and 40, concession 3 from the Bay, lots 9 and 10 *on the Humber Range*, all of lots 1 and 2 and part of lot 3, concession 5, west of Yonge Street, part of lot 3 and all of lots 1 and 2, concession 4, west of Yonge Street in the Township of York, which said parcel Question of incorporation—submission to electors.

may be better described as follows: Commencing at a point where the easterly limit of the right-of-way of the Canadian Pacific Railway intersects the north limit of the City of Toronto; thence westerly along said north limit of the City of Toronto, and continuing westerly along the centre line of Northland Avenue and along the line between lots 37 and 38, concession 3 from the Bay to the centre line of Jane Street; thence northerly along the centre line of Jane Street to a point opposite the line dividing lots 8 and 9 in the broken front concession 3 from the Bay on the River Humber; thence westerly and along the line between said lots 8 and 9 to the centre of the River Humber at the boundary of the Township of Etobicoke; thence northerly following the centre of the River Humber to the centre line of Saint John's Road being the southerly limit of the Town of Weston; thence easterly along the southerly limit of the Town of Weston to the easterly limit of the Canadian Pacific Railway right-of-way; thence southerly along said easterly limit of right-of-way to the southerly boundary of the Township of North York being the line between lots 2 and 3 in the 4th concession west of Yonge Street; thence easterly along said limit of North York to the centre line of Keele Street; thence southerly along the centre line of Keele Street to the centre line of Eglinton Avenue; thence westerly along the centre line of Eglinton Avenue to the easterly limit of the right-of-way of the Canadian Pacific Railway; thence southerly along the easterly limit of the right-of-way of the Canadian Pacific Railway to the northerly limit of the City of Toronto, the following question:—

“Are you in favour of the incorporation of the Town of Mount Dennis?”

Polling sub-  
divisions.

(2) The polling sub-divisions shall be the same as nearly as may be as at the last municipal election, and that part of any polling sub-division which lies *within the* boundary of the lands hereinbefore described, shall for the purpose of the vote be deemed a polling sub-division and when a polling sub-division is so divided the clerk or acting clerk of the Township of York shall strike off the list the names of all voters not qualified to vote in that part of the polling sub-division lying within the territory hereinbefore described. The clerk or acting clerk of the Township of York shall be the returning officer for the taking of the said vote and the *last revised voters' list* shall be the list used in the preparation of the voters' list for the taking of the said vote.

Application  
of 1922, c.  
72.

(3) The provisions of *The Consolidated Municipal Act, 1922* shall apply to the taking of the said vote and the vote on the said question shall be taken on a Saturday.



(4) This section shall come into force on the day upon which this Act receives the Royal Assent. Commencement of section.


**3.** If a majority of those voting vote in the affirmative in answer to the question submitted according to the declaration of the result by the clerk or acting clerk of the Township of York, the following sections of this Act shall come into force on the day following such declaration. The declaration shall be made not later than noon of the Tuesday following the taking of the said vote. Declaration of result of vote upon question.

**4.** The inhabitants of that part of the Township of York hereinbefore more particularly described, are hereby constituted a corporation or body politic separate and apart from the Township of York under the name of the Corporation of the Town of Mount Dennis, and as such shall enjoy all the rights and privileges and be subject to all the duties and liabilities appertaining to incorporated towns and the said part of the Township of York hereinbefore more particularly described is hereby detached from the Township of York and shall form a separate and independent *municipality but not separated from the County of York.* Incorporation.

**5.** The provisions of *The Consolidated Municipal Act, 1922*, as to matters consequent on the erection of a district into a village or town including the adjustment of assets, debts, arrears of taxes, contracts and liabilities shall apply except: Adjustment of assets and liabilities. 1922, c. 72

- (a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board.
- (b) The taxes for the year 1923 on the rateable property within the limits of the said Town of Mount Dennis shall be levied by the Township of York, and the said Township shall pay over to the Town of Mount Dennis such portion of the said taxes as may be agreed upon by the two corporations or in case of dispute, as may be fixed and determined by the Ontario Railway and Municipal Board. The expenditures and liabilities for the year 1923 shall be considered by the said Board in determining the amount payable to the *Town of Mount Dennis*.
- (c) The said Board for the purpose of this Act shall be deemed to be the Board of Arbitrators appointed under *The Consolidated Municipal Act, 1922*, and the award of the Board shall be final and conclusive and without appeal.

Council.

 **6.** The Council of the said Town for the year 1923 shall consist of a mayor and six councillors elected by general vote over the whole municipality and thereafter the said council shall consist of a mayor, reeve, as many deputy reeves as the Town may be entitled to and six councillors elected by general vote provided, however, that the composition of the said council may be changed under the provisions of *The Consolidated Municipal Act, 1922*.

William A. Clarke appointed returning officer.

**7.**—(1) William A. Clarke, Esq., Clerk of the Township of York, or the acting Clerk of the said Township for the time being, is hereby appointed returning officer for the purpose of the first election in the Town of Mount Dennis.

Nomination meeting: notice.

(2) A meeting of electors for the nomination of candidates for the offices of mayor and councillors for the Town of Mount Dennis shall be held at twelve o'clock noon on the second Saturday following the declaration of the result of the vote on the question, at the public school, known as Dennis Avenue school, of which nomination the returning officer shall give six days' notice by posting the same up in at least six conspicuous places in the said Town of Mount Dennis, and the polling, if a poll is required shall be held on the next Saturday after such nominations.


Procedure at nomination meeting.

(3) The returning officer shall preside at the nomination meeting, and in case of his absence the electors present shall choose from among themselves a chairman to preside at the said nomination, and such chairman shall have all the powers of a returning officer, and the returning officer or chairman shall at the close of the nomination announce the polling places for the said election.

Polling sub-division.

(4) The polling sub-divisions shall be the same as at the vote on the question.

Provisions 1922, c. 72 to apply.

(5) Except as herein otherwise provided, the provisions of *The Consolidated Municipal Act, 1922* shall apply as if the election were being held under that Act. 


Appointment of deputy returning officers.

**8.** The said returning officer by his warrant shall appoint a deputy returning officer for each of the polling sub-divisions and such returning officer and each deputy returning officer shall before the holding of the said election take the oath or affirmation required by law, and shall be subject to all the provisions of *The Consolidated Municipal Act, 1922*, applicable to returning officers and deputy returning officers at elections in towns, in so far as the same do not conflict with this Act, and the said returning officers shall have all the powers and perform all the duties devolving on town clerks in respect to elections in towns.

1922, c. 72.

**9.** The qualification required of candidates at the first election shall be the qualification required under *The Consolidated Municipal Act, 1922*. Qualification of candidates.

**10.** The Mayor and Councillors shall hold office until the thirty-first day of December, 1923, or until their successors have been elected and have taken the declaration of qualification and of office. Term of office.

 **11.** The first meeting of the council shall be held at twelve o'clock noon on the Saturday next following the polling and if no poll is required then on the Saturday next following the day of nomination, at the place where the nomination meeting was held. First meeting of Council.


**12.** Until the thirty-first day of December, 1923, the Town shall be represented in the council of the County of York by the mayor and a councillor to be chosen by the council of the Town of Mount Dennis from among the councillors of the said Town and thereafter as provided by *The Consolidated Municipal Act, 1922*. Representation in County Council.

**13.** The Corporation of the Town of Mount Dennis shall have and may exercise within its limits the powers conferred on the Township of York by:— Certain powers of York Township conferred on Town.

(a) 6 George V, chapter 100, as amended by sections 1 and 2 of 7 George V, chapter 98, and by 9 George V, chapter 114, and

(b) Sections 3 and 4 of 12-13 George V, chapter 139.

**14.** The existing Union School Section No. 28 comprising all the lands included in the Town of Mount Dennis and also parts of the Townships of York and North York shall be considered an urban municipality under the provisions of *The Public Schools Act, 1920*, and shall continue as such union school section until it is dissolved under the provisions of the said Act.

**15.** The provisions of *The Consolidated Municipal Act, 1922*, relating to matters consequent on the formation of new municipal corporations, and all other provisions of *The Consolidated Municipal Act, 1922*, except so far as is herein otherwise provided, shall apply to the said Corporation of the Town of Mount Dennis in the same manner as if the said Town had been erected into a town under the provisions of *The Consolidated Municipal Act, 1922*.  Application 1922, c. 72.

Arrears of  
taxes—  
collection by  
officers of  
Town.

**16.** The Township of York shall furnish the Council of the Town of Mount Dennis with a full and complete list of all lands in arrear for taxes at the time of the coming in force of this Act and the Mayor and the Treasurer of the Town of Mount Dennis shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the *reeve and proper officers* of the Township of York. The Reeve and officers of the Township of York shall have full power and authority to make deeds for lands heretofore sold by the Treasurer of the Township of York for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed.

Assessment  
rolls;  
appeals.

**17.** The assessment roll when completed by the assessors of the Township of York for the year 1923, in so far as the same affects property within the limits of the said Town of Mount Dennis shall be valid to all intents and purposes as if the said assessors had been appointed by the Council of the Town of Mount Dennis and the Township of York shall furnish to the Council of the Town of Mount Dennis upon the organization of the said Town of Mount Dennis a true and complete copy of the said assessment roll if the same has then been completed *and the Council of the Township of York shall be the Court of Revision to hear any appeals which may be made against the said assessment and the said assessment roll as revised shall be the assessment roll for the Town of Mount Dennis for the year 1923.*

Power to  
borrow  
money on  
debentures  
for payment  
of debts  
owed by  
town.

**18.** For the purpose of providing moneys which may be required for the payment of any debt which may be found due or owing by the Town of Mount Dennis to the Township of York, the Municipal Council of the Town of Mount Dennis may issue debentures payable within a period not exceeding twenty years and bearing such rate of interest as may be determined by the said Council to pay such debt, and it shall not be necessary to obtain the assent of the electors to any by-law for the issuing of such debentures.

Expenses of  
Act.

**19.** All expenses incurred in obtaining this Act, including *the expenses and charges incurred in submitting the question provided by section 2*, the furnishing of any documents, copies of papers, writings, deeds, the remuneration of the Clerk of the Township of York for services under this Act or any matter whatsoever required by the clerk or other officer of the said Town of Mount Dennis or otherwise, shall be borne by the said Town of Mount Dennis and paid by it to any person entitled thereto.



4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate the Town  
of Mount Dennis.

1st Reading,	16th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private Bills  
Committee).*

Mr. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Petrolia and Canadian Oil Companies, Limited.

**W**HEREAS, the Municipal Corporation of the Town of <sup>Preamble.</sup> Petrolia has by petition represented that Canadian Oil Companies, Limited, has established within the Town of Petrolia a large oil refining industry and has been carrying on operations at the said Town of Petrolia for a number of years; that the Town of Petrolia is not advantageously situated for the operations of the said Company, owing to lack of water facilities for the transportation of the Company's products to and from its oil refinery and works; that the Corporation is desirous that the said Company shall continue to maintain and operate its oil refinery and works at Petrolia and has represented that it is desirable that the assessment of the said Company and of its property in Petrolia shall be fixed at the sum of \$10,000 per annum for a period of twenty years from the 1st day of January, 1923; and whereas, it is further represented that the assessment of the lands of the said Company at the time they were purchased was \$1500; and whereas, the Municipal Council of the Town of Petrolia did on the 2nd day of October, 1922, by a unanimous vote finally pass a by-law, a copy of which is set out in schedule "A" hereto, authorizing the execution of the agreement between the said Municipal Corporation and the said Canadian Oil Companies, Limited, set out in schedule "B" hereto; and whereas, the said Corporation has prayed that an Act may be passed confirming and validating said agreement and by-law; and whereas, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Petrolia Act, 1923*. <sup>Short title.</sup>

2. By-law Number 1205 of the Municipal Corporation <sup>By-law 1205</sup> of the Town of Petrolia, as set out in schedule "A" to this <sup>Town of</sup> <sup>Petrolia</sup> <sup>confirmed.</sup>

Act, is confirmed and declared to be legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof.

Agreement  
between  
Town and  
Can. Oil  
Companies,  
Limited,  
confirmed.

**3.** The agreement bearing date the 2nd day of October, 1922, and made between the Municipal Corporation of the Town of Petrolia and Canadian Oil Companies, Limited, set forth as schedule "B" to this Act, is confirmed and declared legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof, and also on the said Company.



## SCHEDULE "A."

By-Law No. 1205.

A by-law authorizing the execution of a certain agreement dated the 2nd day of October, 1922, made between the Municipal Corporation of the Town of Petrolia and Canadian Oil Companies, Limited, providing for the fixing of the assessment of the said Company and its property at Petrolia at the sum of \$10,000 per annum for 20 years, on the terms and conditions set forth in said agreement.

Whereas an agreement has been arrived at between the Municipal Corporation of the Town of Petrolia and Canadian Oil Companies, Limited, providing *inter alia* for the fixing of the assessment of said Company and of its property in Petrolia for purposes of municipal taxation, including business and school taxes, at the sum of \$10,000 per annum for twenty years from 1st January, 1923.

Now therefore the Municipal Council of the Corporation of the Town of Petrolia enacts as follows:—

1. The annual assessment of Canadian Oil Companies, Limited, and of the property thereof as well present as future in the Town of Petrolia, on which the oil refinery and works of the said Company are now or shall hereafter be situate including the buildings, plant, machinery and other personal property thereon or therein and any pipe lines in connection therewith, shall, for purposes of municipal taxation, including business and school taxes, be fixed at the sum of \$10,000 for a period of twenty years from and inclusive of the first day of January, 1923.

2. The Mayor and Clerk of the Municipal Corporation of the Town of Petrolia are hereby directed and authorized to sign and execute the agreement dated the 2nd day of October, 1922, between the Municipal Corporation of the Town of Petrolia and Canadian Oil Companies, Limited, hereto annexed marked Schedule "A." which agreement is hereby incorporated with and forms part of this by-law, and the said Clerk is hereby directed and authorized to affix the corporate seal of the Corporation to said agreement.

Enacted this 2nd day of October, 1922.

ERNEST PRESTON,

*Mayor.*

JOHN McHATTIE,

*Clerk.*

(SEAL.)

## SCHEDULE "B."

This agreement made the 2nd day of October, in the year of our Lord, One Thousand Nine Hundred and Twenty-two.

The Municipal Corporation of the Town of Petrolia,  
hereinafter called "The Corporation"

of the First Part;

and

Canadian Oil Companies, Limited, hereinafter called  
"The Company"

of the Second Part.

Whereas the Company has established within the Town of Petrolia a large oil refinery industry and has been carrying on operation at the said Town for a number of years.

And whereas the Town of Petrolia is not advantageously situated for the operations of the Company owing to lack of water facilities for the transportation of the Company's products to and from its oil refinery and works.

And whereas the Corporation is desirous that the Company shall continue to maintain and operate the oil refinery and works at Petrolia and as an inducement to the Company so to do has agreed to fix the annual assessment of the said Company and of its lands, plant, works and machinery as hereinafter provided subject to and upon the terms and conditions herein set forth.

Now therefore this agreement witnesseth that the parties hereto do agree to and with each other as follows:—

1. The Corporation agrees that it will pass or cause to be passed a by-law fixing the annual assessment of the Company and of the property thereof as well present as future, in the Town of Petrolia on which its oil refinery and works are now or shall hereafter be situate including the buildings, plant, machinery and other personal property thereon or therein and any pipe lines in connection therewith, for purposes of municipal taxation including business and school taxes at the sum of \$10,000 for a period of twenty years from and inclusive of the 1st day of January, 1923.

2. The Company agrees with the Corporation that it will operate its oil refinery and works at Petrolia for such period of each year as the business carried on will warrant and will employ daily during such operations, except during legal holidays and Sundays and when said refinery and works are unavoidably shut down or closed by reason of labour trouble, strikes, damage by fire, tempest or breakage necessitating the cessation of operations or other causes beyond the control of the Company, at least twenty men.

3. The Corporation shall obtain special legislation from the Legislature of Ontario to authorize or confirm this agreement, shall make due application therefor and take all steps and prosecute the application therefor with all diligence and means within its command, it being understood and agreed that the expenses of obtaining such legislation shall be borne and paid for by the Company.

4. This agreement and everything herein contained shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns respectively.

In witness whereof the corporate seals of the respective parties are hereunto affixed, attested by the hands of the proper officers in that behalf.

Signed, Sealed and Delivered  
In the Presence of:  
J. J. MATTHEWS.

Corporation of the Town of  
Petrolia.  
ERNEST PRESTON,  
*Mayor.*  
JOHN MCHATTIE,  
*Clerk.*







No. 24.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of Petrolia  
and Canadian Oil Companies, Limited.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. WEBSTER.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Petrolia and Canadian Oil Companies, Limited.

**W**HEREAS, the Municipal Corporation of the Town of <sup>Preamble.</sup> Petrolia has by petition represented that Canadian Oil Companies, Limited, has established within the Town of Petrolia a large oil refining industry and has been carrying on operations at the said Town of Petrolia for a number of years; that the Town of Petrolia is not advantageously situated for the operations of the said Company, owing to lack of water facilities for the transportation of the Company's products to and from its oil refinery and works; that the Corporation is desirous that the said Company shall continue to maintain and operate its oil refinery and works at Petrolia and has represented that it is desirable that the assessment of the said Company and of its property in Petrolia shall be fixed at the sum of \$10,000 per annum for a period of twenty years from the 1st day of January, 1923; and whereas, it is further represented that the assessment of the lands of the said Company at the time they were purchased was \$1500; and whereas, the Municipal Council of the Town of Petrolia did on the 2nd day of October, 1922, by a unanimous vote finally pass a by-law, a copy of which is set out in schedule "A" hereto, authorizing the execution of the agreement between the said Municipal Corporation and the said Canadian Oil Companies, Limited, set out in schedule "B" hereto; and whereas, the said Corporation has prayed that an Act may be passed confirming and validating said agreement and by-law; ~~and~~ and whereas, the said council submitted to the qualified electors the following question: "Are you in favor of granting to Canadian Oil Companies, Limited, a fixed annual assessment for purposes of municipal taxation of Ten Thousand Dollars (\$10,000) for a period of twenty (20) years from 1st of January, 1923, as provided by by-law No. 1205 passed by the Municipal Council of the Town of Petrolia?"; and whereas, of the electors who voted, 553 voted in favor of and 118 voted against the question; ~~and~~ and whereas, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Town of Petrolia Act, 1923*.

By-law 1205  
Town of  
Petrolia  
confirmed.      **2.** By-law Number 1205 of the Municipal Corporation of the Town of Petrolia, as set out in schedule "A" to this Act, is confirmed and declared to be legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof.

Agreement  
between  
Town and  
Can. Oil  
Companies,  
Limited,  
confirmed.      **3.** The agreement bearing date the 2nd day of October, 1922, and made between the Municipal Corporation of the Town of Petrolia and Canadian Oil Companies, Limited, set forth as schedule "B" to this Act, is confirmed and declared legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof, and also on the said Company.

Exemption  
not to  
include  
local  
improve-  
ment rates  
or school  
taxation.      **4.** Notwithstanding anything in the said by-law or agreement or in this Act contained, the property of the said company in the said town, shall be liable for assessment and taxation for school purposes and local improvements to the same extent as if this Act had not been passed.



## SCHEDULE "A."

BY-LAW, No. 1205.

A by-law authorizing the execution of a certain agreement dated the 2nd day of October, 1922, made between the Municipal Corporation of the Town of Petrolia and Canadian Oil Companies, Limited, providing for the fixing of the assessment of the said Company and its property at Petrolia at the sum of \$10,000 per annum for 20 years, on the terms and conditions set forth in said agreement.

Whereas an agreement has been arrived at between the Municipal Corporation of the Town of Petrolia and Canadian Oil Companies, Limited, providing *inter alia* for the fixing of the assessment of said Company and of its property in Petrolia for purposes of municipal taxation, including business and school taxes, at the sum of \$10,000 per annum for twenty years from 1st January, 1923.

Now therefore the Municipal Council of the Corporation of the Town of Petrolia enacts as follows:—

1. The annual assessment of Canadian Oil Companies, Limited, and of the property thereof as well present as future in the Town of Petrolia, on which the oil refinery and works of the said Company are now or shall hereafter be situate including the buildings, plant, machinery and other personal property thereon or therein and any pipe lines in connection therewith, shall, for purposes of municipal taxation, including business and school taxes, be fixed at the sum of \$10,000 for a period of twenty years from and inclusive of the first day of January, 1923.

2. The Mayor and Clerk of the Municipal Corporation of the Town of Petrolia are hereby directed and authorized to sign and execute the agreement dated the 2nd day of October, 1922, between the Municipal Corporation of the Town of Petrolia and Canadian Oil Companies, Limited, hereto annexed marked Schedule "A," which agreement is hereby incorporated with and forms part of this by-law, and the said Clerk is hereby directed and authorized to affix the corporate seal of the Corporation to said agreement.

Enacted this 2nd day of October, 1922.

ERNEST PRESTON,

*Mayor.*

JOHN MCHATTIE,

*Clerk.*

(SEAL.)

## SCHEDULE "B."

This agreement made the 2nd day of October, in the year of our Lord, One Thousand Nine Hundred and Twenty-two.

The Municipal Corporation of the Town of Petrolia,  
hereinafter called "The Corporation"

of the First Part;

and

Canadian Oil Companies, Limited, hereinafter called  
"The Company"

of the Second Part.

Whereas the Company has established within the Town of Petrolia a large oil refinery industry and has been carrying on operation at the said Town for a number of years.

And whereas the Town of Petrolia is not advantageously situated for the operations of the Company owing to lack of water facilities for the transportation of the Company's products to and from its oil refinery and works.

And whereas the Corporation is desirous that the Company shall continue to maintain and operate the oil refinery and works at Petrolia and as an inducement to the Company so to do has agreed to fix the annual assessment of the said Company and of its lands, plant, works and machinery as hereinafter provided subject to and upon the terms and conditions herein set forth.

Now therefore this agreement witnesseth that the parties hereto do agree to and with each other as follows:—

1. The Corporation agrees that it will pass or cause to be passed a by-law fixing the annual assessment of the Company and of the property thereof as well present as future, in the Town of Petrolia on which its oil refinery and works are now or shall hereafter be situate including the buildings, plant, machinery and other personal property thereon or therein and any pipe lines in connection therewith, for purposes of municipal taxation including business and school taxes at the sum of \$10,000 for a period of twenty years from and inclusive of the 1st day of January, 1923.

2. The Company agrees with the Corporation that it will operate its oil refinery and works at Petrolia for such period of each year as the business carried on will warrant and will employ daily during such operations, except during legal holidays and Sundays and when said refinery and works are unavoidably shut down or closed by reason of labour trouble, strikes, damage by fire, tempest or breakage necessitating the cessation of operations or other causes beyond the control of the Company, at least twenty men.

3. The Corporation shall obtain special legislation from the Legislature of Ontario to authorize or confirm this agreement, shall make due application therefor and take all steps and prosecute the application therefor with all diligence and means within its command, it being understood and agreed that the expenses of obtaining such legislation shall be borne and paid for by the Company.

4. This agreement and everything herein contained shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns respectively.

In witness whereof the corporate seals of the respective parties are hereunto affixed, attested by the hands of the proper officers in that behalf.

Signed, Sealed and Delivered  
In the Presence of:  
J. J. MATTHEWS.

Corporation of the Town of  
Petrolia.  
ERNEST PRESTON,  
*Mayor.*  
JOHN MCHATTIE,  
*Clerk.*







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No. 24.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the Town of Petrolia  
and Canadian Oil Companies, Limited.

---

1st Reading, 7th February,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

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(*Reprinted as amended by the Private Bills  
Committee.*)

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MR. WEBSTER.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty

# BILL

## An Act respecting Provincial Aid to Drainage to the Township of Tilbury East.

**W**HEREAS, the Corporation of the Township of Tilbury East has by petition represented that by By-law No. 16 of 1920, passed pursuant to the provisions of *The Municipal Drainage Act*, it undertook the construction of a drainage work in the said township known as the Raleigh Plains Drain Outlet; that the said work was undertaken upon the report of George A. McCubbin, O.L.S., C.E., whose report was adopted by the Township Council on or about the eleventh day of May, 1920; that the engineer's estimate for the cost of the said work was \$43,300 apportioned over and assessed against an area of lands and roads in the Townships of Tilbury East, Raleigh and Harwich, in the County of Kent, comprising a drainage area or watershed of some 90,000 acres in extent; that the assessment made by the engineer has been confirmed by law and is not now the subject of appeal; that the said work, although estimated to cost \$43,300, has only been partially completed at a total expenditure of some \$44,000, another season's work being required to complete it, the increase in cost being due to circumstances which were beyond the control of the township, and no question has been raised with regard to the expenditure of the money nor the methods employed by the township; that the lands within the said drainage area are already very heavily taxed for drainage purposes, the debenture debt for drainage works in the Township of Tilbury East alone being over \$200,000, while the total amount paid by lands and roads in Tilbury East for drainage works since the initiation of drainage works under the drainage laws of Ontario has been over \$700,000; that when the said drainage work was undertaken it was the intention of the township to make application for aid under the provisions of *The Provincial Aid to Drainage Act, 1921*, but the officials of the township for the year 1922 being new to their offices were not aware of the change in the law made by the Act of 1921, whereby a time limit of one year after the adoption of the engineer's report

Preamble

Rev. Stat  
c. 43.

1921, c. 28.

was imposed upon applications under the said Act; that the drainage work is on such a scale (being the outlet of a drainage system serving a watershed of some 90,000 acres); that great public benefit will be derived from the said work and that the township should be allowed, notwithstanding the time of one year has elapsed, to make an application for aid under the said Act, and has requested that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Township of Tilbury East Act, 1923*.

Township  
may apply  
for aid  
under 1921,  
c. 28.      **2.** The Corporation of the Township of Tilbury East may apply to the Lieutenant-Governor in Council under the provisions of *The Provincial Aid to Drainage Act, 1921*, for the aid authorized to be granted by the said Act, notwithstanding the expiry of the time limit imposed by the said Act upon applications made thereunder.

Provisions  
of 1921,  
c. 28; other  
than time  
limit to  
apply.      **3.** Upon said application being made, all the provisions of the said Act shall apply except the provision limiting the time for making the application and the application shall be deemed to be made in time if made at any time before the expiry of six months after the said drainage work shall have been completed.





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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting Provincial Aid to  
Drainage to the Township of  
Tilbury East.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to incorporate the Village of Hilton Beach.

**W**HEREAS, the inhabitants and ratepayers of the unincorporated Villages of Hilton and Marksville, in the Township of Hilton, on St. Joseph Island, in the District of Algoma, and those portions of the said Township adjoining the said Villages comprised within the limits hereinafter mentioned, have by their Petition represented that the said limits contain a population of about three hundred inhabitants which is steadily increasing and that it would greatly promote their progress, interest and prosperity, if the said Villages and portions of said Township should be separated from the Municipality of the Township of Hilton and formed into an incorporated village, and they have prayed for such incorporation accordingly; and whereas it is expedient to grant the prayer of the said Petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Village of Hilton Beach Act, 1923.* Short title.

**2.** From and after the passing of this Act, the inhabitants of the said unincorporated Villages of Hilton and Marksville and those portions of the Township of Hilton adjoining the said unincorporated villages and comprised within the limits and boundaries hereinafter set forth and described shall be and they are hereby created a corporation or body politic under the name of the Village of Hilton Beach, separate and apart from the said Township of Hilton, and shall have and enjoy all the rights, powers and privileges now enjoyed by or conferred on, or which shall or may hereafter be conferred upon incorporated villages in the Province of Ontario, subject to any exception provided by this Act. Incorporation.

**3.** The said Village of Hilton Beach is hereby declared to Boundaries

and shall consist of that part of the Township of Hilton, on the Island of St. Joseph, in the District of Algoma, comprised within the following boundaries, that is to say:—

*Firstly:* Commencing at the water's edge of Lake Huron at a point where the same is intersected by centre line of the road allowance between Pointe au Gravier Concession and the Town plot of Hilton as shown on plan of said Island, prepared by T. N. Molesworth, Esquire, P.L.S., on file in the Department of Lands and Forests; thence along the said centre line of said roadway to the intersection thereof with the centre line of the road between the said Town plot of Hilton and Lot Number One in the Fourteenth Concession of the Township of Hilton; thence at right angles along the centre line of said last mentioned roadway to the point where said roadway is intersected by the line between Lot "A" in the Sixteenth Concession of said Township and the Town plot of Hilton; thence at right angles in a north westerly direction along said line to the water's edge of Lake Huron, together with the water lots in front of said lands, comprising the Town plot of Hilton and Lot "D" in the Seventeenth Concession of said Township as shown on said Plan; and *Secondly:* That part of Lot "A" in the Seventeenth Concession of the Township of Hilton, adjacent to the lands hereinbefore described, and known as the Bingham Subdivision, as shown on a plan of the said Subdivision registered in the Registry Office for the District of Algoma; and *Thirdly:* That part of Lot "A" in the Sixteenth Concession of said Township of Hilton, included in the Town plot of Marksville as shown on plan thereof registered in the Registry Office for the District of Algoma.

First  
election of  
Council.

4. On the third Monday in May, 1923, it shall be lawful for William E. Whybourne of the said Village of Marksville, who is hereby appointed Returning Officer, to hold the nomination for the first election for Reeve and Councillors at the Town Hall, in the said unincorporated Village of Marksville, at the hour of noon, of which nomination he shall give one week's notice by advertisement in the newspaper published in the said Town (or if no newspaper is published therein,

then by advertisement in a newspaper published in the village nearest thereto), also by one week's notice posted up in at least three conspicuous places in the said village of such nomination, and he shall preside at such nomination or in case of his absence the electors present shall choose from among themselves a chairman to preside, who shall have all the powers of a Returning Officer, and the polling for the said election, if necessary, shall be held on the same day of the week next following the said nomination, and the Returning Officer or Chairman shall, at the close of the nomination, publicly announce the place at which such polling shall take place.

5. At the first election the qualification of the electors and of the Reeve and Councillors for the said Village shall be the same as that required in townships, and at all subsequent elections the qualifications of the electors, and of the Reeve, Councillors and other officers shall be the same as that required in incorporated villages. Qualification of candidates.

6. The Township Clerk of the Township Municipality of Hilton shall furnish the said Returning Officer upon demand made upon him for the same with a certified copy of so much of the last revised assessment rolls of the said Township as may be required to ascertain the names of all persons entitled to vote at such first election. Certified copy of Assessment Roll.

7. The Reeve and Councillors so to be elected shall hold their first meeting at the Town Hall, in the said Village, at ten o'clock in the forenoon of the same day of the week following the polling, and if there shall not be any polling on the same day of the week next following the nomination. First meeting of council.

8. The several persons who shall be elected or appointed under this Act shall take and subscribe to the declaration of office and qualification now required by the Municipal Laws of Ontario, to be taken by persons elected or appointed to like offices in villages. Declaration of office and qualification.

9. The Council of the said Village may pass a by-law for taking the assessment of the said Village from the first day of January to the 31st day of December, 1923, between the fifteenth day of July and the first day of September, 1923. If any such by-law extends the time for making and completing the assessment rolls beyond the first day of September next, then the time for closing the Court of Revision shall be six weeks from the day to which such time is extended and the final return by the District Judge twelve weeks from that day. Taking of 1923 assessment.

Expenses  
of Act.

**10.** The expenses of and connected with the obtaining of this Act, of preparing the necessary papers and of furnishing any documents, papers, writing, deeds, or other matters whatsoever connected therewith or required by the Clerk of the said Village or otherwise, howsoever, whether heretofore or hereafter incurred, shall be borne by the said Village and paid by it to the person or persons that may be respectively entitled thereto.

Adjustment  
of assets  
and  
liabilities.

**11.** The Council of the said Village shall be entitled to recover from the said Corporation of the Township of Hilton such share of all moneys on hand, due, owing or of right collectable by and belonging to the said Municipality at, and prior to, the said time of incorporation or thereafter if entitled thereto, as shall bear such proportion to the whole as the amount of the assessed property within the limits of the said Village as shown by the assessment roll of the year 1922-23 bears to the whole amount of the assessed property of the said Municipality; the settlement between the said Village and Municipality within the meaning of this section to be made within six months from the time this Act shall come into force and in case of disagreement the same shall be determined by arbitration under *The Consolidated Municipal Act, 1922*.









4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate the Village of  
Hilton Beach.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. STOVER.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to incorporate the Village of Hilton Beach.

**W**HEREAS, the inhabitants and ratepayers of the unincorporated Villages of Hilton and Marksville, in the Township of Hilton, on St. Joseph Island, in the District of Algoma, and those portions of the said Township adjoining the said Villages comprised within the limits hereinafter mentioned, have by their Petition represented that the said limits contain a population of about three hundred inhabitants which is steadily increasing and that it would greatly promote their progress, interest and prosperity, if the said Villages and portions of said Township should be separated from the Municipality of the Township of Hilton and formed into an incorporated village, and they have prayed for such incorporation accordingly; and whereas it is expedient to grant the prayer of the said Petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Village of Hilton Beach Act, 1923.* Short title.

2. From and after the passing of this Act, the inhabitants of the said unincorporated Villages of Hilton and Marksville and those portions of the Township of Hilton adjoining the said unincorporated villages and comprised within the limits and boundaries hereinafter set forth and described shall be and they are hereby created a corporation or body politic under the name of the Village of Hilton Beach, separate and apart from the said Township of Hilton, and shall have and enjoy all the rights, powers and privileges now enjoyed by or conferred on, or which shall or may hereafter be conferred upon incorporated villages in the Province of Ontario, subject to any exception provided by this Act. Incorporation.

3. The said Village of Hilton Beach is hereby declared to Boundaries.

and shall consist of that part of the Township of Hilton, on the Island of St. Joseph, in the District of Algoma, comprised within the following boundaries, that is to say:—

*Firstly:* Commencing at the water's edge of Lake Huron at a point where the same is intersected by centre line of the road allowance between Pointe au Gravier Concession and the Town plot of Hilton as shown on plan of said Island, prepared by T. N. Molesworth, Esquire, P.L.S., on file in the Department of Lands and Forests; thence along the said centre line of said roadway to the intersection thereof with the centre line of the road between the said Town plot of Hilton and Lot Number One in the Fourteenth Concession of the Township of Hilton; thence at right angles along the centre line of said last mentioned roadway to the point where said roadway is intersected by the line between Lot "A" in the Sixteenth Concession of said Township and the Town plot of Hilton; thence at right angles in a north westerly direction along said line to the water's edge of Lake Huron, together with the water lots in front of said lands, comprising the Town plot of Hilton and Lot "D" in the Seventeenth Concession of said Township as shown on said Plan; and *Secondly:* That part of Lot "A" in the Seventeenth Concession of the Township of Hilton, adjacent to the lands hereinbefore described, and known as the Ringham Subdivision, as shown on a plan of the said Subdivision registered in the Registry Office for the District of Algoma; and *Thirdly:* That part of Lot "A" in the Sixteenth Concession of said Township of Hilton, included in the Town plot of Marksville as shown on plan thereof registered in the Registry Office for the District of Algoma.

First  
election of  
Council.

4. On the third Monday in May, 1923, it shall be lawful for William E. Whybourne of the said Village of Marksville, who is hereby appointed Returning Officer, to hold the nomination for the first election for Reeve and Councillors at the Town Hall, in the said unincorporated Village of Marksville, at the hour of noon, of which nomination he shall give one week's notice by advertisement in the newspaper published in the said Town (or if no newspaper is published therein,

then by advertisement in a newspaper published in the village nearest thereto), also by one week's notice posted up in at least three conspicuous places in the said village of such nomination, and he shall preside at such nomination or in case of his absence the electors present shall choose from among themselves a chairman to preside, who shall have all the powers of a Returning Officer, and the polling for the said election, if necessary, shall be held on the same day of the week next following the said nomination, and the Returning Officer or Chairman shall, at the close of the nomination, publicly announce the place at which such polling shall take place.

5. At the first election the qualification of the electors and of the Reeve and Councillors for the said Village shall be the same as that required in townships, and at all subsequent elections the qualifications of the electors, and of the Reeve, Councillors and other officers shall be the same as that required in incorporated villages. Qualification of candidates.

6. The Township Clerk of the Township Municipality of Hilton shall furnish the said Returning Officer upon demand made upon him for the same with a certified copy of so much of the last revised assessment rolls of the said Township as may be required to ascertain the names of all persons entitled to vote at such first election. Certified copy of Assessment Roll.

7. The Reeve and Councillors so to be elected shall hold their first meeting at the Town Hall, in the said Village, at ten o'clock in the forenoon of the same day of the week following the polling, and if there shall not be any polling on the same day of the week next following the nomination. First meeting of council.

8. The several persons who shall be elected or appointed under this Act shall take and subscribe to the declaration of office and qualification now required by the Municipal Laws of Ontario, to be taken by persons elected or appointed to like offices in villages. Declaration of office and qualification.

9. The Council of the said Village may pass a by-law for taking the assessment of the said Village from the first day of January to the 31st day of December, 1923, between the fifteenth day of July and the first day of September, 1923. If any such by-law extends the time for making and completing the assessment rolls beyond the first day of September next, then the time for closing the Court of Revision shall be six weeks from the day to which such time is extended and the final return by the District Judge twelve weeks from that day. Taking of 1923 assessment.

Expenses  
of Act.

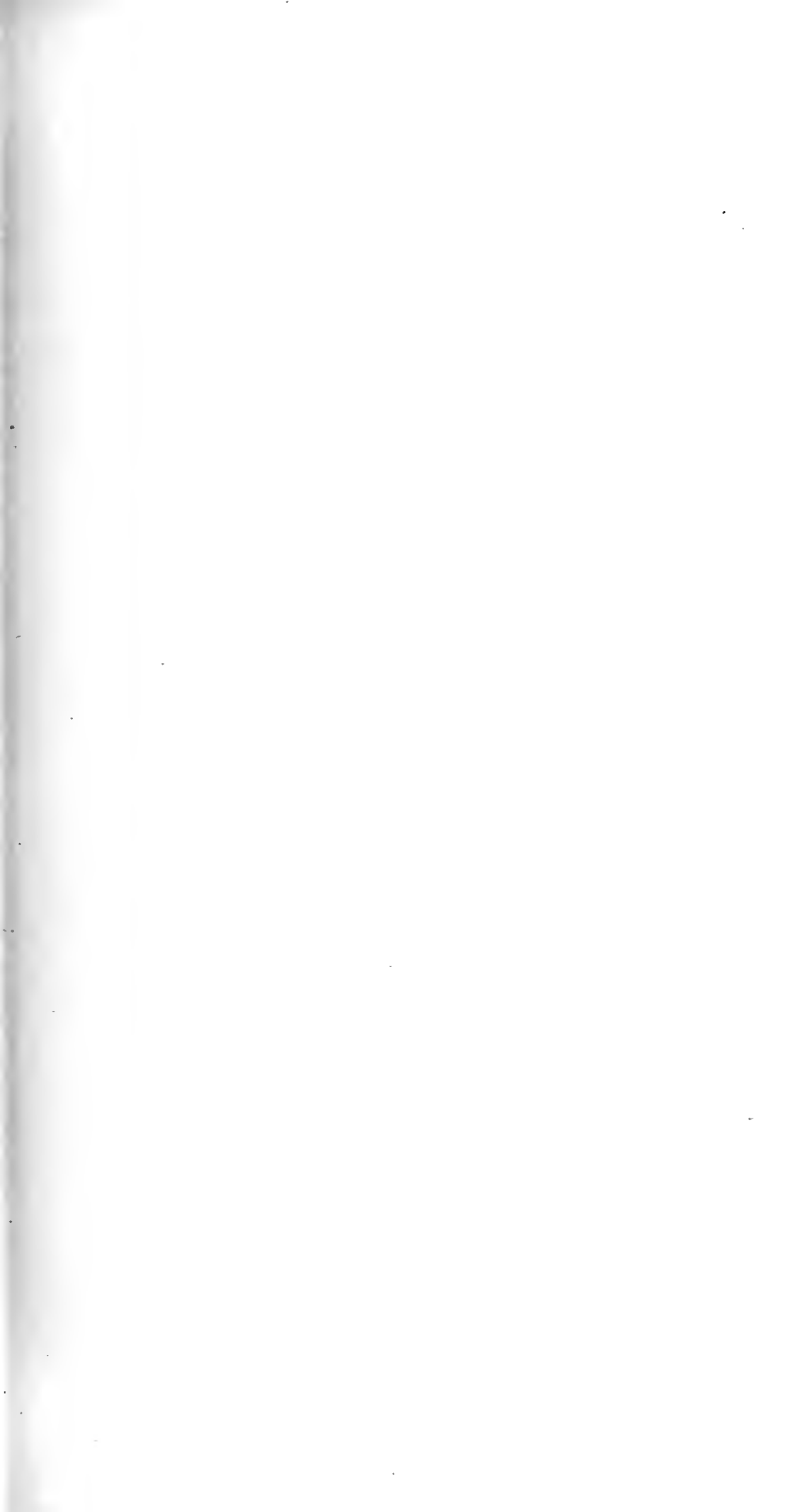
**10.** The expenses of and connected with the obtaining of this Act, of preparing the necessary papers and of furnishing any documents, papers, writing, deeds, or other matters whatsoever connected therewith or required by the Clerk of the said Village or otherwise, howsoever, whether heretofore or hereafter incurred, shall be borne by the said Village and paid by it to the person or persons that may be respectively entitled thereto.

Adjustment  
of assets  
and  
liabilities.

**11.** The provisions of *The Consolidated Municipal Act, 1922*, as to adjustment of assets and liabilities and as to matters consequent on the formation of new corporations shall apply as if the said land had been erected into a village under that Act.

Commence-  
ment of Act.

**12.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.









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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to incorporate the Village of  
Hilton Beach.

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1st Reading,	16th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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*(Reprinted as amended by the Private Bills  
Committee.)*

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Mr. STOVER.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the University of Western Ontario.

**W**HEREAS the University of Western Ontario (hereinafter called the University) has by its petition represented that it was incorporated under the name of "The Western University of London, Ontario" by an Act passed in the 41st year of the reign of Her late Majesty, Queen Victoria, chapter 70, called the Principal Act (or Act of 1878) as amended by the Act passed in the 45th year of the said reign, chapter 89 (called the Act of 1882), wherein the name was changed to "The Western University and College of London, Ontario," as amended by the Act passed in the 55th year of the reign of Her late Majesty, Queen Victoria, chapter 107 (called the Act of 1892 but never brought into force), wherein the name was changed to "The Western University and London University College," as further amended by the Act passed in the 6th year of the reign of His late Majesty, Edward VII, chapter 140 (called the Act of 1906), and as still further amended by the Act passed in the 8th year of the reign of His late Majesty, Edward VII, chapter 145 (called the Act of 1908), wherein the name of the University was changed to "The Western University of London, Ontario," and whereas the University has by its petition prayed that a new Act may be substituted so as to enable the University to receive aid both from the Corporation of the City of London (hereinafter called the City) and from other municipalities and counties of Ontario as hereinafter mentioned; to change the name of the University from that of the Act of 1908; to provide for the appointment of an official visitor; to enlarge the functions of the Board of Governors, and to change the composition and to enlarge the functions of the Senate of the University; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The University of Western Ontario Act, 1923*. Short title.

Incorporation.

**2.** The University shall be a corporation as hereinafter constituted, with perpetual succession and a common seal, and shall be called "The University of Western Ontario."

Grants by City.

**3.** The City may grant annually or from time to time to the Board of Governors for the use of the University such a sum or sums as may be agreed upon by the City and the University, and it shall not be necessary to obtain the assent of the ratepayers for any such grant or payment.

Grants by Counties.

**4.** The County Council or the Council of any municipality in the constituency of the University of Western Ontario, that is to say, in the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington and Waterloo, may make grants in aid of the University for any purpose they deem prudent either for lands, buildings, administration expenses or general annual maintenance, or for the establishment or upkeep of any faculty, department, chair, fellowship, scholarship (resident or travelling), exhibition or prize in the University; or for the development of extension work (lectures, correspondence, demonstrations, clinics, etc.) or for the increase of library facilities; or for a university press; or for museums or art galleries; or for experimental areas or facilities for research work; or to assist any historical, artistic, literary or scientific society, conference, convention or association organized to promote the work of the University; and it shall not be necessary to obtain the assent of the ratepayers for any such grant or payment.

- (a) Grants may be made in aid of the physical education or athletic or military training of students attending the University or in aid of similar training for pupils attending any school or college affiliated for the purpose with the University or for the holding of exhibitions or competitions or offering prizes<sup>3</sup> in connection with such training.
- (b) Grants may be made for endowing scholarships or awarding prizes in the University for competition among the pupils of the collegiate institutes, high, continuation or common schools or of any other educational body in any county or municipality in the counties heretofore mentioned in this Section.
- (c) Grants may be made to establish provision permanently for defraying the expenses of the attendance at the University of such of the pupils of any collegiate institute, high or continuation school of any county or municipality in Western Ontario

who are individually unable to meet the necessary expenses thereof and in the opinion of the Head Master or Principal thought to possess attainments sufficient to warrant their attendance and who also meet the educational requirements of the University.

- (d) Such grants may be made from time to time by the Councils of one or more counties or municipalities either jointly or severally, and may be either by one payment or by an annual payment for a specified number of years, upon such terms and conditions as may be agreed upon between the Council or Councils of the county or counties or municipality or municipalities concerned and the University; and such Council or Councils may pass such a by-law or by-laws as may be deemed necessary to provide the money for any or all of the aforesaid grants.

**5.** His Honour the Lieutenant-Governor of the Province of Ontario shall be the Official Visitor of the University. <sup>Official Visitor.</sup>

**6.** The Convocations of the University may consist of the Chancellor and the Vice Chancellor, the Board of Governors, the Senate, the Officers, Faculties and under-graduates of the University and of affiliated colleges and schools; and the graduates of the University; and the official head (Warden or Mayor) of each county and incorporated city in the University constituency as provided in Section 4. <sup>Convocation.</sup>

**7.—(1)** The Board of Governors shall be constituted as follows:—During such time as the City shall pay to the Board of Governors the annual grant or grants as provided in Section 3 of this Act the Council of the City shall from time to time appoint four Governors; the Lieutenant-Governor in Council of the Province of Ontario shall from time to time appoint four Governors and the Governors so appointed shall elect four Governors. The Chancellor, the President of the University, the Mayor of the City and the Warden of the County of Middlesex shall be ex-officio members of the Board of Governors. All Governors shall hold office for four years. Five Governors shall constitute a quorum. No person shall be eligible to serve as a member of the Board of Governors unless he is a British subject and a resident in the Province of Ontario. Any retiring Governor shall be eligible for re-appointment or re-election as the case may be while all members of the Board shall hold office until such time as their successors are appointed. <sup>Board of Governors.</sup>

## Officers.

(2) The Board of Governors shall elect a Chairman and a Vice-Chairman and may, from time to time, enact statutes governing the University or repeal or amend the same.

## Powers.

(3) Unless and until other or different provisions are made by the Board of Governors by statute:—

- (a) Except in such matters as are assigned by this Act to the Senate, the government, conduct, management and control of the University and control of the property, revenues, business and affairs thereof, shall be vested in the Board.
- (b) The Board shall appoint and fix the salaries and tenure of office of the President of the University, the professors, teachers and instructors, a secretary, a librarian, a bursar and a registrar, and all other officers, assistants, clerks and employees as the Board may think necessary; and shall be empowered to make provision for group insurance, annuities, retiring allowances or pensions for any or all of the members of the administrative or teaching staffs or other employees of the University.
- (c) All the property of the University shall be vested in the Board and may be converted into revenue-producing securities as the Board may provide, but shall be subject to the terms of any trust effecting any monies or properties now, or hereinafter to become, the property of the University.
- (d) Any person, club or organization may, subject to the approval of the Board, endow a chair, or found a scholarship or make a bequest, donation, or gift to the general funds of the University, for buildings, maintenance, endowment or extension work, or for any other purpose approved by the Board, and may transfer for this purpose to the Board any real or personal property or interest therein.
- (e) The Board shall have power to sell, purchase, receive, accept, expropriate, acquire or hold all land or other property given to or acquired for the University, and to borrow money on the same, either by way of mortgage or by

issuing bonds, debentures or other securities, in the name and for the benefit of the University. The Board shall have all the rights, powers and privileges in dealing with real or personal property as are possessed by an individual person.

- (f) All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario."
- (g) The Board may establish such faculties, departments or chairs in any subject (except Theology) as may be recommended by the Senate and to the Board may seem meet, and shall fix all tuition and other fees payable by students in the faculties whose instructors are paid by the Board; and also shall fix all graduation fees.
- (h) The accounts of the Board shall be audited at least once a year by an auditor or auditors appointed by the Board.

(4) The property real and personal vested in the Board shall not be liable to taxation for provincial, municipal or school purposes, but shall be exempt from every description of taxation. Exemption from all Taxes.

(5) No succession duty shall be leviable or payable on property devised or bequeathed to the University; or on the amount of any unpaid subscription or gift made to or for any fund or purpose of the University.

(6) No religious test shall be required of any professor, lecturer, teacher, officer or servant, or of any student of the University, nor shall any religious observances according to the forms of any particular denomination or sect be imposed on them. Religious observances.

**8.—**(1) There shall be a Senate of the University, the members of which shall from time to time be appointed or elected as follows:— Senate: mode of Election.

- (a) Two members shall be appointed by each faculty of the University and by each affiliated college or school, provided that in the case of a faculty of the University one of its members shall be the Dean.

- (b) Two members shall be appointed by the Board of Governors from their own number.
- (c) One member may be appointed by the Council of each incorporated city in the following counties: Brant, Bruce, Elgin, Essex, Grey, Huron, Kent, Lambton, Middlesex, Norfolk, Oxford, Perth, Wellington and Waterloo.
- (d) One member may be appointed by the County Council of each of the aforesaid counties.
- (e) The principals of the continuation schools, high schools and collegiate institutes in the aforesaid counties may elect four members from their own number, provided that no representative so elected is a member of a governing body of any other Canadian university.
- (f) One member may be appointed by each of the School Boards of the City.
- (g) One member may be elected by the graduates of each faculty of the University and one by the graduates of each affiliated college or school.
- (h) The Chancellor, the Vice-Chancellor, the President, the Registrar, the Director of the Extension Department, the Director of Summer School, and Extramural Work, and the director, dean or executive head of any other such distinctive branch of the University's educational activities as may be recognized by statute of the Senate, shall be members ex-officio.

Term of  
office.

(2) Each appointed or elected Senator shall hold office for two years or until such time as his successor is appointed. The Senator's term of office shall begin with the spring convocation.

Retiring  
Senators.

(3) Any retiring Senator shall be eligible for re-appointment or re-election as the case may be.

Vice-  
Chancellor

(4) The Senate may appoint the Vice-Chancellor of the University to hold office for three years or until his successor is appointed.



(5) The Senate shall be responsible for the educational policy of the University and with the approval of the Board of Governors may create faculties or departments, or establish chairs in any and as many of the Arts and Sciences as the Senate may determine, and may confer degrees in any subject taught in the University or in any affiliated college or school; may confer honorary degrees in any department of learning; may create faculty councils to act as executive committees for the Senate to regulate the admission of students, courses of study and requirements for graduation; may enact statutes regulating the matters in this Section referred to, and may from time to time amend or repeal any of its statutes.

Powers and  
duties of  
Senate.

(6) It shall be the duty of the Senate to ascertain from time to time, by survey or otherwise, the educational needs of the University constituency; to consult with the educational authorities of each county or municipality with the view to rendering them any assistance in the power of the University; to provide University extension services wherever possible for all classes, rural and urban; to co-operate with any and all associations or other agencies having for their objects the dissemination of knowledge, the improvement of vocations, the establishment of better living conditions, the improvement of public health, or the development of a more intelligent citizenship; and to organize and promote branch university associations or similar organizations for the purpose of advancing any or all of the objects aforesaid as may be deemed meet.

9. Every three years beginning with the first spring convocation the Chancellor shall be elected by a majority of the members of the Board of Governors and of the Senate present at a joint meeting of the Board of Governors and of the Senate held for the purpose.

Chancellor;

10.—(1) On recommendation of the Senate the Board of Governors may provide for the affiliation of any college or school in Canada established for teaching divinity, arts, science, law, medicine, music, engineering, agriculture, or any other useful branch of learning and may make provision for the dissolution or suspension of any such affiliation.

Affiliation.

(2) The Theological options for an Arts degree shall not be less than those available in the University at the time of the passing of this Act.

Theological  
Options for  
Arts degree.

(3) Honorary degrees in Divinity shall be conferred without fees upon the recommendation of any Theological college or school in affiliation with the University.

Honorary  
degrees in  
Divinity.

Degrees in  
Divinity.

(4) Degrees in Divinity obtained by examination may be conferred by the Senate of the University on the recommendation of any affiliated Theological college or school on the payment to the University of the fees therefor.

Undenom-  
inational  
Government.

**11.** The government of the University shall be absolutely undenominational and under public, municipal or provincial control, or any or all of them; but should the University cease to be undenominational or the government thereof be transferred to private control, the status, privileges and powers granted under this Act, shall be automatically revoked and the University charter shall revert as provided for in Section 12 (1).

Acts and  
parts of Acts  
repealed  
41 V. c. 70, 6  
Ed. VII. c.  
145.

**12.—(1)** All previous Acts or enactments referring to the University are hereby repealed except Sections 1 and 3 of the Principal Act passed in 1878 and Sections 1, 2, 3, 4, 5 and 6 of the Act of 1906, which shall be suspended.

Reversion of  
charter.

(2) Should the University charter revert as provided for by Section 11 of this Act then and in that case all the property, real and personal, of the University shall be vested in a Board of Trustees to be appointed by the Lieutenant-Governor in Council for such uses and purposes as the Lieutenant-Governor in Council may direct.

Commence-  
ment of Act.

**13.** This Act shall come into force and take effect on the day on which it receives the Royal Assent.



4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the University of  
Western Ontario.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. STEVENSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the University of Western Ontario.

**W**HEREAS the University of Western Ontario (here- Preamble.  
inafter called the University) has by its petition represented that it was incorporated under the name of "The Western University of London, Ontario" by an Act passed in the 41st year of the reign of Her late Majesty, Queen Victoria, chapter 70, called the Principal Act (or Act of 1878) as amended by the Act passed in the 45th year of the said reign, chapter 89 (called the Act of 1882), wherein the name was changed to "The Western University and College of London, Ontario," as amended by the Act passed in the 55th year of the reign of Her late Majesty, Queen Victoria, chapter 107 (called the Act of 1892 but never brought into force), wherein the name was changed to "The Western University and London University College," as further amended by the Act passed in the 6th year of the reign of His late Majesty, Edward VII, chapter 140 (called the Act of 1906), and as still further amended by the Act passed in the 8th year of the reign of His late Majesty, Edward VII, chapter 145 (called the Act of 1908), wherein the name of the University was changed to "The Western University of London, Ontario," and whereas the University has by its petition prayed that a new Act may be substituted so as to enable the University to receive aid both from the Corporation of the City of London (hereinafter called the City) and from other municipalities and counties of Ontario as hereinafter mentioned; to change the name of the University from that of the Act of 1908; to provide for the appointment of an official visitor; to enlarge the functions of the Board of Governors, and to change the composition and to enlarge the functions of the Senate of the University; and whereas it is expedient to grant the prayer of the said petition;



Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The University of Western Ontario Act, 1923.* Short title.

Incorporation.

2. The University shall be a corporation as hereinafter constituted, with perpetual succession and a common seal, and shall be called "The University of Western Ontario."

Grants by City.

3. The City may grant annually or from time to time to the Board of Governors for the use of the University such a sum or sums as may be agreed upon by the City and the University, and it shall not be necessary to obtain the assent of the *electors qualified to vote on money by-laws* for any such grant or payment,  provided, however, that any grant in excess of \$75,000 in any one year shall first receive the assent of the said electors. 



Grants by Counties.

4. The County Council or the Council of any municipality in the constituency of the University of Western Ontario, that is to say, in the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington and Waterloo, may make grants in aid of the University for any purpose they deem prudent either for lands, buildings, administration expenses or general annual maintenance, or for the establishment or upkeep of any faculty, department, chair, fellowship, scholarship (resident or travelling), exhibition or prize in the University; or for the development of extension work (lectures, correspondence, demonstrations, clinics, etc.) or for the increase of library facilities; or for a university press; or for museums or art galleries; or for experimental areas or facilities for research work; or to assist any historical, artistic, literary or scientific society, conference, convention or association organized to promote the work of the University; and, *except as hereinafter provided*, it shall not be necessary to obtain the assent of the *electors qualified to vote on money by-laws* for any such grant or payment.

(a) Grants may be made in aid of the physical education or athletic or military training of students attending the University or in aid of similar training for pupils attending any school or college affiliated for the purpose with the University or for the holding of exhibitions or competitions or offering prizes in connection with such training.

(b) Grants may be made for endowing scholarships or awarding prizes in the University for competition among the pupils of the collegiate institutes, high, continuation or common schools or of any other educational body in any county or municipality in the counties heretofore mentioned in this Section.

- (c) Grants may be made to establish provision permanently for defraying the expenses of the attendance at the University of such of the pupils of any collegiate institute, high or continuation school of any county or municipality in Western Ontario who are individually unable to meet the necessary expenses thereof and in the opinion of the Head Master or Principal thought to possess attainments sufficient to warrant their attendance and who also meet the educational requirements of the University.
- (d) Such grants may be made from time to time by the Councils of one or more counties or municipalities either jointly or severally, and may be either by one payment or by an annual payment for a specified number of years, upon such terms and conditions as may be agreed upon between the Council or Councils of the county or counties or municipality or municipalities concerned and the University; and such Council or Councils may pass such a by-law or by-laws as may be deemed necessary to provide the money for any or all of the aforesaid grants.

-  (e) By-laws passed under this section authorizing grants and requiring the issue of debentures in excess of the sum of twenty thousand dollars shall receive the assent of the electors qualified to vote on money by-laws. 

**5.** His Honour the Lieutenant-Governor of the Province <sup>Official Visitor</sup> of Ontario shall be the Official Visitor of the University.

**6.** Convocation of the University may consist of the <sup>Convocation.</sup> Chancellor and the Vice Chancellor, the Board of Governors, the Senate, the Officers, Faculties and under-graduates of the University and of affiliated colleges and schools; and the graduates of the University; and the official head (Warden or Mayor) of each county and incorporated city in the University constituency as provided in Section 4.

**7.—(1)** The Board of Governors shall be constituted as <sup>Board of Governors.</sup> follows:—During such time as the City shall pay to the Board of Governors the annual grant or grants as provided in Section 3 of this Act the Council of the City shall from time to time appoint four Governors; the Lieutenant-Governor in Council of the Province of Ontario shall from time to time appoint four Governors and the Governors so appointed shall elect four Governors. The Chancellor, the President of the University, the Mayor of the City and the Warden of the

County of Middlesex shall be ex-officio members of the Board of Governors. All Governors shall hold office for four years. Five Governors shall constitute a quorum. No person shall be eligible to serve as a member of the Board of Governors unless he is a British subject and a resident in the Province of Ontario. Any retiring Governor shall be eligible for re-appointment or re-election as the case may be while all members of the Board shall hold office until such time as their successors are appointed.

Officers.

(2) The Board of Governors shall elect a Chairman and a Vice-Chairman and may, from time to time, enact statutes governing the University or repeal or amend the same.

Powers.



(3) Unless and until other or different provisions are made by the Board of Governors by statute:—

- (a) Except in such matters as are assigned by this Act to the Senate, the government, conduct, management and control of the University and control of the property, revenues, business and affairs thereof, shall be vested in the Board.
- (b) The Board shall appoint and fix the salaries and tenure of office of the President of the University, the professors, teachers and instructors, a secretary, a librarian, a bursar and a registrar, and all other officers, assistants, clerks and employees as the Board may think necessary; and shall be empowered to make provision for group insurance, annuities, retiring allowances or pensions for any or all of the members of the administrative or teaching staffs or other employees of the University.
- (c) All the property of the University shall be vested in the Board and may be converted into revenue-producing securities as the Board may provide, but shall be subject to the terms of any trust effecting any monies or properties now, or hereinafter to become, the property of the University.
- (d) Any person may, subject to the approval of the Board, endow a chair, or found a scholarship or make a bequest, donation, or gift to the general funds of the University, for buildings, maintenance, endowment or extension work, or for any other purpose approved



by the Board, and may transfer for this purpose to the Board any real or personal property or interest therein.



- (e) The Board shall have power to sell, purchase, receive, accept, acquire or hold all land or other property given to or acquired for the University, and to borrow money on the same, either by way of mortgage or by issuing bonds, debentures or other securities, in the name and for the benefit of the University. The Board shall have all the rights, powers and privileges in dealing with real or personal property as are possessed by an individual person.

-  (f) The Board may expropriate any land which is actually required for the occupation and use of the University for University purposes, paying such compensation therefor as may be agreed upon or in case of failure to agree as may be determined by arbitration under the provisions of *The Consolidated Municipal Act, 1922*. 

- (g) All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario."

- (h) The Board may establish such faculties, departments or chairs in any subject (except Theology) as may be recommended by the Senate and to the Board may seem meet, and shall fix all tuition and other fees payable by students in the faculties whose instructors are paid by the Board; and also shall fix all graduation fees.

- (i) The accounts of the Board shall be audited at least once a year by an auditor or auditors appointed by the Board.

(4) The property real and personal vested in the Board shall not be liable to taxation for provincial, municipal or school purposes,  so long as the same is actually used and occupied for the purposes of the University.  Exemption  
from all  
Taxes.

(5) No succession duty shall be leviable or payable on property devised or bequeathed to the University; or on the amount of any unpaid subscription or gift made to or for any fund or purpose of the University. Succession  
Duty.

Religious  
observances.

(6) No religious test shall be required of any professor, lecturer, teacher, officer or servant, or of any student of the University, nor shall any religious observances according to the forms of any particular denomination or sect be imposed on them.

Senate:  
mode of  
Election.

8.—(1) There shall be a Senate of the University, the members of which shall from time to time be appointed or elected as follows:—

- (a) Two members shall be appointed by each faculty of the University and by each affiliated college or school, provided that in the case of a faculty of the University one of its members shall be the Dean.
- (b) Two members shall be appointed by the Board of Governors from their own number.
- (c) A total of three members may be appointed by the Council and one member may be appointed by each of the School Boards of the City.
- (d) One member may be appointed by the Council of each incorporated city in the following counties: Brant, Bruce, Elgin, Essex, Grey, Huron, Kent, Lambton, Middlesex, Norfolk, Oxford, Perth, Wellington and Waterloo.
- (e) One member may be appointed by the County Council of each of the aforesaid counties.
- (f) The principals of the continuation schools, high schools and collegiate institutes in the aforesaid counties may elect four members from their own number, provided that no representative so elected is a member of a governing body of any other Canadian university.
- (g) One member may be elected by the graduates of each faculty of the University and one by the graduates of each affiliated college or school.
- (h) The Chancellor, the Vice-Chancellor, the President, the Registrar, the Director of the Extension Department, the Director of Summer School, and Extramural Work, and the

director, dean or executive head of any other such distinctive branch of the University's educational activities as may be recognized by statute of the Senate, shall be members ex-officio.

(2) Each appointed or elected Senator shall hold office <sup>Term of office.</sup> for two years or until such time as his successor is appointed. The Senator's term of office shall begin with the spring convocation.

(3) Any retiring Senator shall be eligible for re-appoint- <sup>Retiring Senators.</sup> ment or re-election as the case may be.

(4) The Senate may appoint the Vice-Chancellor of the <sup>Vice-Chancellor</sup> University to hold office for three years or until his successor is appointed.

(5) The Senate shall be responsible for the educational <sup>Powers and duties of Senate.</sup> policy of the University and with the approval of the Board of Governors may create faculties or departments, or establish chairs in any and as many of the Arts and Sciences as the Senate may determine, and may confer degrees in any subject taught in the University or in any affiliated college or school; may confer honorary degrees in any department of learning; may create faculty councils to act as executive committees for the Senate to regulate the admission of students, courses of study and requirements for graduation; may enact statutes regulating the matters in this Section referred to, and may from time to time amend or repeal any of its statutes.

(6) It shall be the duty of the Senate to ascertain from time to time, by survey or otherwise, the educational needs of the University constituency; to consult with the educational authorities of each county or municipality with the view to rendering them any assistance in the power of the University; to provide University extension services wherever possible for all classes, rural and urban; to co-operate with any and all associations or other agencies having for their objects the dissemination of knowledge, the improvement of vocations, the establishment of better living conditions, the improvement of public health, or the development of a more intelligent citizenship; and to organize and promote branch university associations or similar organizations for the purpose of advancing any or all of the objects aforesaid as may be deemed meet.

9. Every three years beginning with the first spring con- <sup>Chancellor</sup> vocation the Chancellor shall be elected by a majority of the

members of the Board of Governors and of the Senate present at a joint meeting of the Board of Governors and of the Senate held for the purpose.

**Affiliation.**      **10.**—(1) On recommendation of the Senate the Board of Governors may provide for the affiliation of any college or school in Canada established for teaching divinity, arts, science, law, medicine, music, engineering, agriculture, or any other useful branch of learning and may make provision for the dissolution or suspension of any such affiliation.

**Theological Options for Arts degree.**      (2) The Theological options for an Arts degree shall not be less than those available in the University at the time of the passing of this Act.

**Honorary degrees in Divinity.**      (3) Honorary degrees in Divinity shall be conferred without fees upon the recommendation of any Theological college or school in affiliation with the University.

**Degrees in Divinity.**      (4) Degrees in Divinity obtained by examination may be conferred by the Senate of the University on the recommendation of any affiliated Theological college or school on the payment to the University of the fees therefor.

**Undenominational Government.**      **11.** The government of the University shall be undenominational and *shall be* under public, municipal or provincial control, or any or all of them; but should the University cease to be undenominational or the government thereof be transferred to private control, the status, privileges and powers granted under this Act, shall be automatically revoked and the University charter shall revert as provided for in Section 12.

**Acts and parts of Acts repealed.**      **12.**—(1) All previous Acts or enactments referring to the University are hereby repealed except Sections 1 and 3 of the Principal Act passed in 1878 and Sections 1, 2, 3, 4, 5 and 6 of the Act of 1906, which shall be suspended.  
41 V. c. 70, 6  
Ed. VII. c.  
145.

**Reversion of charter.**      (2) Should the University charter revert as provided for by Section 11 of this Act then and in that case all the property, real and personal, of the University shall be vested in a Board of Trustees to be appointed by the Lieutenant-Governor in Council for such uses and purposes as the Lieutenant-Governor in Council may direct.

**Commencement of Act.**      **13.** This Act shall come into force and take effect on the day on which it receives the Royal Assent.



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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the University of  
Western Ontario.

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1st Reading,	23rd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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*(Reprinted as amended by the Private  
Bills Committee.)*

MR. STEVENSON.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Fecunis, Limited.

**W**HEREAS Fecunis, Limited, has by petition represented Preamble.  
that it was incorporated by an Act passed in the  
eleventh year of the reign of His Majesty, King George the  
Fifth, chaptered 137, with an authorized capital of one million  
dollars and by sections 7 and 8 thereof was empowered to  
construct the tramway therein mentioned for the purposes  
of its undertaking; and whereas the said Company has com-  
menced the construction of the said tramway but has not  
expended fifteen per cent. of its authorized capital thereon as  
required by section 141 of *The Ontario Railway Act*; and  
whereas a petition has been presented praying that it be Rev. stat.  
c. 185.  
enacted as hereinafter set forth and it is expedient to grant  
the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:—

**1.** This Act may be cited as *The Fecunis, Limited, Act*, Short title.  
1923.

**2.** Fecunis, Limited, may construct its said tramway Time for  
construction  
of tramway  
extended  
provided that if the construction of the said tramway is not  
proceeded with within two years after the passing of this  
Act and that if the said tramway is not finished and put in  
operation within five years from the passing of this Act, the  
powers granted by this Act and by sections 7 and 8 of the  
Act passed in the eleventh year of the reign of His Majesty  
King George the Fifth, chaptered 137, shall cease and be void  
as respects so much of the tramway as then remains un-  
completed.

**3.** Section 141 of *The Ontario Railway Act* shall not apply Rev. stat.  
c. 185, s. 141,  
not to apply.  
to the said tramway.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Fecunis, Limited.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Private Bill).*

MR. PRICE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act respecting the City of Toronto.

**W**HEREAS the Corporation of the City of Toronto has Preamble.  
by petition prayed for special legislation in respect  
of the several matters hereinafter set forth; and whereas it  
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The grant of the sum of \$25,000 made by the Corporation of the City of Toronto for the relief of the sufferers Northern Fire Relief Grant confirmed.  
from fire in Northern Ontario in 1922 is hereby validated and confirmed.

2. All sales of lands within the municipality of the City of Toronto made during the years 1920 and 1921, purporting Tax Sales to 31st Dec., 1921, confirmed.  
to be made by the said corporation for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said corporation, shall have the effect of vesting the lands so sold and conveyed in the purchaser or his assigns, or his or their heirs and assigns, or in the said corporation and its successors or assigns, as the case may be, in fee simple, and clear of and from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment whereof the said lands were sold.

No. 29.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of  
Toronto.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. THOMPSON.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of Toronto.

**W**HEREAS the Corporation of the City of Toronto has Preamble.  
by petition prayed for special legislation in respect  
of the several matters hereinafter set forth; and whereas it  
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** The grant of the sum of \$25,000 made by the Corporation of the City of Toronto for the relief of the sufferers from fire in Northern Ontario in 1922 is hereby validated and confirmed. Northern Fire Relief Grant confirmed.

**2.** All sales of lands within the municipality of the City of Toronto made during the years 1920 and 1921, purporting to be made by the said corporation for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said corporation, shall have the effect of vesting the lands so sold and conveyed in the purchaser or his assigns, or his or their heirs and assigns, or in the said corporation and its successors or assigns, as the case may be, in fee simple, and clear of and from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment whereof the said lands were sold. Tax Sales to 31st Dec., 1921, confirmed.

**3.** The Council of the said Corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law, or by-laws, for the issue of "City of Toronto General Consolidated Loan Debentures" to raise the sum of \$1,833,716 for the following purposes, viz.:— Authority to borrow \$1,833,716 on debentures.

## RELIEF SEWERS.

University Creek—Bloor Street, via Charles Street, Church Street and Park Road to Rosedale Creek.....	\$208,500 00	
Pleasant Boulevard, from Yonge Street to Avoca Avenue.....	21,150 00	
St. Clair Avenue east, from Yonge Street to Ferndale Avenue.....	13,200 00	
Lansdowne Avenue, from Lappin Avenue to north side of C.P.R. tracks.....	28,750 00	
Parkwood District—from St. Clair Avenue via Warren Road and Heath Street to Parkwood Avenue, and on St. Clair Avenue from Parkwood Avenue to Spadina Road.....	34,300 00	
Douglas Drive, from St. Andrew's Gardens to Glen Road.....	3,400 00	
Oriole Road, from St. Clair Avenue to Heath Street.....	10,000 00	
Completion of Wychwood District Relief — Tyrrel Avenue, from Christie Street to Ossington Avenue, and Wychwood Avenue from Alcina Avenue to Benson Avenue.....	69,700 00	
Indian Road District—Garden Avenue, from Indian Road to Parkside Drive.....	6,750 00	
Roncesvalles Avenue outlet, com- pletion of, from parking ground to water's edge.....	20,000 00	
	<hr/>	\$415,750 00
Sanitary Interceptor — Queen Street, via Broadview Avenue to Low Level Interceptor on East- ern Avenue.....		9,100 00


## WATERWORKS.

Water Supply Section—	
25-million gallon pump, High Level Pumping Station and building therefor.....	\$150,945 00
80-million gallon pump, Main Pumping Station and building therefor.....	113,122 00

Steam driven generator for Main Pumping Station.....	8,737 00	
		272,804 00
Water Main Extension Section—		
Extension of existing 16-inch main on Danforth Avenue, from Woodbine easterly to Main Street....	46,000 00	
36-inch main, Front Street to Rathnally Avenue.....	723,000 00	
6-inch main, Yonge Street, west side, from Glenview Avenue southerly to Glengrove Avenue..	1,562 00	
		770,562 00
Water Distribution Section—		
Check valve for protection of supply mains in vicinity of Front and John Streets.....	18,500 00	
		18,500 00
Waterworks Improvements — To cover overdraft on sundry by-laws.....		45,000 00

## GENERAL.

Live Stock Arena (balance of cost).	\$100,000 00
Exhibition Buildings—Pure Food Building.....	100,000 00
Civic Garage, land and building..	42,000 00
New stable, mess room and cart sheds at Keele Street, for Street Cleaning Department.....	60,000 00
Total.....	\$1,833,716 00

4. No irregularity in the form of any of the debentures to be issued under authority of the foregoing section or any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action against the Corporation for the recovery of the amount thereof or interest thereon or any part thereof. 

Irregularity  
in form not  
to invalid-  
ate.

No. 29.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of  
Toronto.

1st Reading,	23rd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private  
Bills Committee.)*

MR. THOMPSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting The Victoria Loan and Savings Company.

**W**HEREAS The Victoria Loan and Savings Company Preamble has, by its petition represented that it was incorporated on the fourth day of September, 1895, as a loan corporation by declaration under *The Building Societies Act*, being chapter 169 of the Revised Statutes of Ontario, 1887, and amendments thereto, and by Supplementary Letters Patent issued on the eleventh day of November, 1898, under *The Loan Corporations Act*, being chapter 205 of the Revised Statutes of Ontario, 1897, and that its present paid-up capital is \$742,085.73 with a reserve fund of \$472,000; and whereas the Company has by its petition represented that it is desirous of obtaining power to carry on the business of a trust company under *The Loan and Trust Corporations Act* and amendments thereto, Rev. Stat. 1914, c. 184. and of surrendering its powers to carry on business as a loan corporation under the said Act, and of changing its name to The Victoria Trust and Savings Company; and whereas the company has prayed that an Act be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Victoria Loan and Savings Company Act, 1923.* Short title.

**2.** The name of "The Victoria Loan and Savings Company" Name changed. is hereby changed to "The Victoria Trust and Savings Company."

**3.** The company, upon registration as hereinafter provided, shall be and it is hereby authorized and empowered to carry Power to do business as trust company. on the business of a trust company under *The Loan and Trust Corporations Act* and amendments thereto, and to exercise all the powers set out in clauses *a* to *k* inclusive of subsection 1 of section 18 of *The Loan and Trust Corporations*

Act and all the other powers, rights and privileges which a trust company may exercise under *The Loan and Trust Corporations Act* and amendments thereto.

Power to  
do business  
as loan  
company  
to cease.

Proviso.

4. Save as hereinafter provided the company shall not, after registration as a trust company exercise the powers of a loan corporation under the said *The Loan and Trust Corporations Act* in so far as such powers shall exceed or differ from those conferred upon a trust company by this Act.

Trustee  
securities  
as  
guarantee  
of  
debentures,  
Rev. Stat.  
1914, c. 121.

5. The company shall definitely set aside and ear-mark in respect of its debentures outstanding from time to time securities including loans upon the securities authorized as trustee investments under *The Trustee Act* equal to the full aggregate amount thereof. The company shall not issue any further debentures or renew any of its outstanding debentures.

Approval  
of company  
as trust  
company.

6. Notwithstanding that the company has issued and outstanding debentures, the Lieutenant-Governor in Council may approve the company being accepted as a trust company for the purposes of the Supreme Court of Ontario, as provided by section 20 of *The Loan and Trust Corporations Act*.

Deposits

7. After registration as a trust company the company shall not have power to take deposits by way of borrowing moneys, and all deposits then held by the company shall be held by it as trustee for the several depositors and repayment thereof shall by virtue of this Act be guaranteed by the company, and there shall be ear-marked and definitely set aside in respect of such deposits securities including loans upon securities or cash including money on deposit with any chartered bank and securities including loans upon securities, equal to the aggregate amount thereof.

Registra-  
tion as  
trust  
company.

8.—(1) Upon the company complying with the provisions of this Act the registrar of loan corporations shall cause the company to be registered in the Trust Companies Register and thereupon the company shall, except as herein otherwise provided, comply with and be subject to the provisions of the said *The Loan and Trust Corporations Act* applicable to trust companies incorporated pursuant to the said Act.

Cancellat-  
ion of  
registration  
as loan  
corporation.

(2) Upon registration of the company as a trust company the registrar shall cancel the registration of the company as a loan corporation.

Transfer  
of assets.

9. All the assets of The Victoria Loan and Savings Company shall from and after the time that this Act shall come into force, vest in The Victoria Trust and Savings Company



without any further conveyance thereof, and all mortgages held shall thereafter be discharged by The Victoria Trust and Savings Company as and when occasion may require.

**10.** This Act shall come into force on the day upon which <sup>Commence-</sup>  
it receives the Royal Assent. <sub>ment of Act.</sub>

No. 30.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting The Victoria Loan  
and Savings Company.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. SANDY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting The Victoria Loan and Savings Company.

**W**HEREAS The Victoria Loan and Savings Company Preamble has, by its petition represented that it was incorporated on the fourth day of September, 1895, as a loan corporation by declaration under *The Building Societies Act*, being chapter 169 of the Revised Statutes of Ontario, 1887, and amendments thereto, and by Supplementary Letters Patent issued on the eleventh day of November, 1898, under *The Loan Corporations Act*, being chapter 205 of the Revised Statutes of Ontario, 1897, and that its present paid-up capital is \$742,085.73 with a reserve fund of \$472,000; and whereas the Company has by its petition represented that it is desirous of obtaining power to carry on the business of a trust company under *The Loan and Trust Corporations Act* and amendments thereto, and of surrendering its powers to carry on business as a loan corporation under the said Act, and of changing its name to The Victoria Trust and Savings Company; and whereas the company has prayed that an Act be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition; Rev. Stat. 1914, c. 184.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Victoria Loan and Savings Company Act, 1923.* Short title.

**2.** The name of "The Victoria Loan and Savings Company" Name changed. is hereby changed to "The Victoria Trust and Savings Company."

**3.** The company, upon registration as hereinafter provided, Power to do business as trust company. shall be and it is hereby authorized and empowered to carry on the business of a trust company under *The Loan and Trust Corporations Act* and amendments thereto, and to exercise all the powers set out in clauses *a* to *k* inclusive of subsection 1 of section 18 of *The Loan and Trust Corporations*

*Act* and all the other powers, rights and privileges which a trust company may exercise under *The Loan and Trust Corporations Act* and amendments thereto.

Power to  
do business  
as loan  
company  
to cease.

Proviso.

4. Save as hereinafter provided the company shall not, after registration as a trust company exercise the powers of a loan corporation under the said *The Loan and Trust Corporations Act* in so far as such powers exceed or differ from those conferred upon a trust company by the said Act.

Trustee  
securities  
as  
guarantee  
of  
debentures,  
Rev. Stat.  
1914, c. 121.

5. The company shall definitely set aside and ear-mark in respect of its debentures outstanding from time to time securities including loans upon securities authorized as trustee investments under *The Trustee Act* equal to the full aggregate amount thereof. The company shall not issue any further debentures or renew any of its outstanding debentures.

Approval  
of company  
as trust  
company.

6. Notwithstanding that the company has issued and outstanding debentures, the Lieutenant-Governor in Council may approve the company being accepted as a trust company for the purposes of the Supreme Court of Ontario, as provided by section 20 of *The Loan and Trust Corporations Act*.

Deposits.

7. After registration as a trust company the company shall not have power to take deposits by way of borrowing moneys, and all deposits then held by the company shall be held by it as trustee for the several depositors and repayment thereof shall by virtue of this Act be guaranteed by the company, and there shall be ear-marked and definitely set aside in respect of such deposits securities including loans upon securities or cash including money on deposit with any chartered bank and securities including loans upon securities, equal to the aggregate amount thereof.

Registra-  
tion as  
trust  
company.

8.—(1) Upon the company complying with the provisions of this Act the registrar of loan corporations shall cause the company to be registered in the Trust Companies Register and thereupon the company shall, except as herein otherwise provided, comply with and be subject to the provisions of the said *The Loan and Trust Corporations Act* applicable to trust companies incorporated pursuant to the said Act.

Cancell-  
ation of  
registration  
as loan  
corporation.

(2) Upon registration of the company as a trust company the registrar shall cancel the registration of the company as a loan corporation.

Commence-  
ment of Act

9. This Act shall come into force on the day upon which it receives the Royal Assent.



No. 30.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting The Victoria Loan  
and Savings Company.

1st Reading,	16th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private  
Bills Committee).*

MR. SANDY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Municipality of Neebing.

**W**HEREAS the Corporation of the Municipality of Neebing has by petition represented that by a certain agreement made between the said corporation and the Canadian Northern Railway Company, dated the seventeenth (17th) of May, A.D. 1922, duly approved by the Lieutenant-Governor in Council, and set out in Schedule "C" hereto, the said company agreed to commence the installation and permanent establishment in the Township of Neebing of the general receiving, storing and distributing yard for the traffic of the whole group of the Canadian National Railway, with the necessary round-house and other equipment therefor and to maintain the same as such during the period of fixed assessment provided for in the said agreement; that in consideration of the said agreements on the part of the Company the Corporation of the said Municipality by the said agreement did agree to close certain road allowances therein specified and convey them to the said company and to grant the said company a fixed assessment of nineteen thousand (\$19,000.00) dollars on the lands of the said company connected with said yards, for the period of ten (10) years; that pursuant to the provisions of the said agreement the said company has proceeded with the installation and permanent establishment of said yards and round-house and equipment therefor; that pursuant to the said agreement the said corporation passed by-law number 423, set out in Schedule "A" hereto, closing the said road allowances and conveying the closed portions thereof to the said company; and, with the assent of the electors qualified to vote on money by-laws, by-law number 415, set out in Schedule "B" hereto, granting the said fixed assessment; and whereas it is desirable that the said agreement and by-laws should be confirmed;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Municipality of Neebing Act, 1923*.

By-laws Nos.  
423 and 415,  
Neebing, and  
agreement  
with C.N.R.  
confirmed.

**2.** By-law number 423 of the Corporation of the Municipality of Neebing, dated the fifteenth day of December, A.D. 1922, set forth in Schedule "A" hereto, and by-law number 415 of the Corporation of the Municipality of Neebing, dated the third day of July, A.D. 1922, set forth as Schedule "B" hereto, and the agreement between the Corporation of the Municipality of Neebing and the Canadian Northern Railway Company, dated the seventeenth day of May, A.D. 1922, set forth as Schedule "C" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof, and on all parties thereto.



## SCHEDULE "A".

BY-LAW No. 423

OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING.

To grant a bonus to the Canadian Northern Railway Company, by way of a fixed assessment of Nineteen Thousand (\$19,000) Dollars for Ten (10) years, on the lands therein described.

Whereas the Canadian Northern Railway Company has had under consideration the construction of an extension of its railway within the limits of the Township of Neebing, one of the township units of the Municipality of Neebing, by constructing, installing, establishing and maintaining within the limits of the said Township of Neebing its general receiving, storing and distributing yard for the traffic of the Canadian National Railways with the necessary round-house and other equipment therefor.

And whereas it is in the interests of the ratepayers of the said Township of Neebing that the said extension of said railway within the limits of said township shall be so constructed and installed and maintained and the said Railway Company hath agreed to do so in consideration of a bonus by way of a fixed assessment of Nineteen Thousand (\$19,000) Dollars for all municipal purposes other than school purposes on the lands presently owned by it within said township and the lands proposed to be acquired by it for said yards as shewn on the plan submitted to the Council of the Municipality of Neebing in connection with its proposal:

And whereas a petition expressing the desire to aid the Railway Company and stating in what way and to what amount, has been signed by all the members of the Council of the Municipality and it is expedient to grant such bonus;

Be it therefore enacted by the Corporation of the Municipality of Neebing:

1. That the following lands together with all buildings, erections, structures, rails, wires, etc., of the said Canadian Northern Railway Company now or hereafter erected or placed on said lands shall be assessed for all municipal purposes other than school purposes at the fixed sum of Nineteen Thousand (\$19,000) Dollars, during the period of Ten (10) years from the first day of January, A.D. 1923, the lands included in said fixed assessment being more particularly described as follows, that is to say:

Firstly, as all those portions of Lots Eleven to Twenty-five (11-25) inclusive, in the first (1st) Concession of the Township of Neebing in the electoral district of Fort William and Province of Ontario, heretofore owned by the Canadian Northern Railway Company or which have been acquired by it for the purposes of said yard, which said portions are shewn coloured pink and yellow on the plans filed by the Canadian Northern Railway Company with said council, and attached to its agreement with the said municipality.

Secondly. Lots Four to Seven (4-7) inclusive according to Plan No. 305 registered in the Registry Office at Fort William.

Thirdly. Lots Fourteen to Twenty-nine (14-29) inclusive and Lot Thirty-seven (37) according to Plan No. 658, registered in said Registry Office, and

Fourthly. Those portions of Vickers Street, of the Street in Glendale Subdivision and of DeMeuron and Riverview Avenues, closed by By-law No. 415, of the Corporation of the Municipality of Neebing, the whole containing 307.6 acres more or less.

Provided, however, that said fixed assessment is subject to the condition that any portion of said property to which the same applies, leased or disposed of or used for purposes other than the operation of the railway system, shall be subject to assessment in the same manner as other real estate in the township.

2. That this by-law shall be submitted for the assent of the electors qualified to vote thereon in accordance with the provisions of the *Consolidated Municipal Act* of 1922.

3. That this by-law shall take effect on being finally passed after receiving the assent of said electors.

Passed by the Council, subject to said assent of the electors this twenty-fifth day of October, A.D. 1922.

J. GOWANLOCK,  
*Reeve.*

J. R. WELLS,  
*Clerk.*

Finally passed by the Council, after the approval of the ratepayers this fifteenth day of December, A.D. 1922, and numbered 423.

J. GOWANLOCK,  
*Reeve.*

J. R. WELLS,  
*Clerk.*

[SEAL.]

## SCHEDULE "B".

### MUNICIPALITY OF NEEBING,

Fort William, Ontario, 1922.

#### By-Law No. 415

#### OF THE MUNICIPALITY OF NEEBING, ONTARIO.

Whereas by Agreement dated the third October, 1921 and the seventeenth day of May, 1922, between the Corporation of the Municipality of Neebing, in the Province of Ontario, and The Canadian Northern Railway Company:

The Municipality has agreed "to close against public use and to sell and convey to the Railway free from encumbrance at and for the price of One Thousand (\$1,000) Dollars those portions of the roads or streets coloured brown on the blue print attached hereto, which portions so to be closed and conveyed are more particularly described as follows:

"That portion of the road allowance between Lots Fifteen (15) and Sixteen (16) in Concession One (1), Township of Neebing, coloured brown on said blue print and containing 1.5 acres, more or less."

"That portion of the street shewn on registered Plan No. 658, being a subdivision of part of Lot Eighteen (18), Concession One (1), Township of Neebing, coloured brown on said blue print, and containing 1.4 acres, more or less."

"That portion of the street known as DeMueron Avenue, and shewn on registered Plan No. 305, being a subdivision of part of Lot Nineteen (19) Concession One (1), Township of Neebing, coloured brown on said blue print, and containing 1.2 acres, more or less."

"That portion of the road allowance between Lots Twenty (20) and Twenty-one (21) Concession One (1), Township of Neebing, coloured brown on said blue print, and containing 0.7 acres, more or less."

Provided, however, that this Agreement on the part of the Municipality to close said portions of said streets or roads is conditional on the Railway obtaining the consent of all owners of property abutting on said portions of said streets or highways to be closed, and indemnifying the Municipality from any lawful claim by such abutting owners or others, provided that any such claims received by the Municipality are referred to the Railway to be settled or contested at its own expense."

And whereas all the necessary steps have been taken in accordance with the *Municipal Act*, to close and stop up the portions of said streets and roads above referred to.

Therefore, be it enacted by the Municipality of Neebing that the said portions of streets and roads are hereby stopped up and closed and the Reeve and Clerk are authorized to complete the sale and to execute the necessary conveyances or transfers covering the land contained in the said streets and roads to the said Railway Company at and for the sum of One Thousand Dollars (\$1,000).

Passed in open Council with first, second and third reading this third day of July, 1922.

J. GOWANLOCK,  
*Reeve.*

J. R. WELLS,  
*Clerk and Treasurer.*

[SEAL:  
Municipality of Neebing.]

### SCHEDULE "C".

Memorandum of Agreement made and entered into this seventeenth day of May, A.D. 1922.

Between

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

in the Province of Ontario (hereinafter referred to as  
"The Municipality.")

Party of the First Part,

and

THE CANADIAN NORTHERN RAILWAY COMPANY  
(hereinafter referred to as "The Railway.")

Party of the Second Part.

Whereas the Railway owns and operates a line of railway passing through the Municipality of Neebing in the Province of Ontario;

And whereas the Railway Company proposes to establish certain terminals and other works within the limits of the Municipality.

And whereas the establishment of such terminals and other works will be of benefit to the municipality:

Witnesseth:

1. The Railway covenants and agrees:—

That it will upon the closing of the streets or roads as provided in Clause Two hereof and subject to the approval of its plans by the Board of Railway Commissioners for Canada and the conveyance of said streets or roads to the Railway as provided in said Clause Two, commence the installation and permanent establishment on the lands coloured pink and yellow in the annexed plan, of the general receiving, storing and distribut-

ing yard for the traffic of the whole group of the Canadian National Railways with the necessary round-house and other equipment therefor, and will proceed with such installation and establishment with due dispatch, and will maintain the same as such during the period of fixed assessment hereinafter granted.

2. The municipality covenants and agrees:—

To close against public use and to sell and convey to the Railway free from encumbrance at and for the price of One Thousand (\$1,000) Dollars, those portions of the roads or streets coloured brown on the blue-print attached hereto, which portions so to be closed and conveyed are more particularly described as follows:

"That portion of the road allowance between Lots Fifteen (15) and Sixteen (16) in Concession One (1) Township of Neebing, coloured brown on said blue print and containing 1.5 acres, more or less."

"That portion of the street shewn on registered Plan No. 658, being a subdivision of part of Lot Eighteen (18), Concession One (1), Township of Neebing, coloured brown on said blue-print, and containing 1.4 acres, more or less."

"That portion of the street known as De Meuron Avenue, and shewn on registered Plan No. 305, being a subdivision of part of Lot Nineteen (19), Concession One (1), Township of Neebing, coloured brown on said blue-print, and containing 1.2 acres, more or less."

"That portion of the road allowance between Lots Twenty (20) and Twenty-one (21), Concession One (1), Township of Neebing, coloured brown on said blue-print, and containing 0.7 acres, more or less."

Provided, however, that this Agreement on the part of the Municipality to close said portions of said streets or roads is conditional on the Railway obtaining the consent of all owners of property abutting on said portions of said streets or highways to be closed, and indemnifying the Municipality from any lawful claims by such abutting owners, and others; provided that any such claims received by the Municipality are referred to the Railway to be settled or contested at its own expense.

3. To grant to the Railway a fixed assessment (if and so long as the Railway Company's property is assessable) of Nineteen Thousand (\$19,000) Dollars, (which sum is equivalent to the present assessed value) on all the lands shewn coloured pink and yellow on the attached blue-print (which assessment shall cover all buildings and structures that may hereafter be erected on said lands) for a period of Ten (10) years from the date of the final ratification and approval hereinafter referred to.

Provided, however, that this Agreement as to fixed assessment is subject to the approval thereof by the ratepayers of the Municipality as provided in the *Municipal Act* and to the condition that any portion of said property leased or disposed of or used for purposes other than the operation of the railway system shall be subject to assessment in the same manner as other real estate in the township.

4. To sign, execute and deliver such other deeds and assurances and to do and perform such things as may be necessary to give legal effect thereto.

5. Upon request of the Railway in writing to forthwith take all proceedings necessary to procure the ratification by the electors or persons entitled to vote on money by-laws, in the Municipality to the fixed assessment provided in Clause Three (3) hereof, and also all other ratifications or approvals required by law.

6. That the Railway shall have the right to drain its lands (shewn pink and yellow on the said hereunto annexed plan) into any ditches which may be constructed north and south of same but subject to the general law as to drainage and as to bearing its proper proportion of costs in respect of such ditches, and outlets as may be hereafter constructed or improved, and that as to general drainage the Railway shall be subject to the laws of the Province of Ontario.

7. That the Railway shall have the right at its own expense to construct, repair and maintain a sewer and water pipe at its option, either on the road allowance running between Lots Twenty (20) and Twenty-one (21) Concession One (1), Township of Neebing (known as River-view Avenue) or along the Roadway running north and south through the westerly half of Lot Nineteen (19), Concession One (1), Township of Neebing, provided that in the event of the construction of the sewer or water pipe line the Railway shall at its own expense repair any portion of the roadway disturbed by said works and place the same in as good condition as it was before the commencement of such works.

And that the Railway shall construct all necessary works to prevent the erosion of the bank of the Kaministiquia River at the outlet of said sewer or water pipe, and safeguard or indemnify the Municipality from any lawful claim for damages while the said work, construction or repair is under way or in consequence of said work of construction or repair.

8. The Municipality will, if requested by the Railway, join in applying to the Legislature of the Province of Ontario for confirmation hereof.

In witness whereof that parties hereto have executed the same on the day and year first above written:

Signed, Sealed and Delivered  
In the presence of

J. GOWANLOCK,  
*Reeve.*

J. R. WELLS,  
*Clerk.*

[SEAL]

THE CANADIAN NORTHERN RAILWAY COMPANY,

L. J. HUNGERFORD,  
*Vice-President and General Manager.*

[SEAL]

R. P. ORMSBY,  
*Secretary.*

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Municipality of  
Neebing.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. HEENAN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to incorporate the Village of Windermere.

**W**HEREAS F. W. Newton, Wm. Aiken, Henry Long-<sup>Preamble</sup>hurst, all residents of the unincorporated Village of Windermere, in the Township of Watt, in the District of Muskoka, have by their petition represented that the said village has a resident population of 130 inhabitants or thereabouts, which is steadily increasing; and whereas the population of the said village is largely increased in the summer time by the influx of owners of summer cottages and summer residents, so that the resident population in the summer months is increased to above 500 inhabitants; and whereas the said village is a noted summer resort which attracts large numbers of summer visitors in many parts of Canada and the United States; and whereas the inhabitants of the said village have, by their petition represented that they are desirous of becoming incorporated as a village, that there is great difficulty in equalizing the values of village and farm properties in said township which is large and scattered, and that its finances could be better husbanded and used to more equitable advantage, and that its progress, interest and prosperity would be promoted if the said village were incorporated; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Village of Windermere* <sup>Short title.</sup> Act, 1923.

2. From and after the holding of the first election under <sup>Incorporation.</sup> this Act, the inhabitants of the said Village of Windermere, shall be, and they are hereby constituted a corporation or body politic under the name of the Corporation of the Village of Windermere, apart from the Township of Watt, in which the said village is situate, and shall enjoy and have all the rights, power and privileges which could have been enjoyed

and exercised by the said Village of Windermere if the same had been incorporated under *The Consolidated Municipal Act, 1922*, except as otherwise provided by this Act.

Boundaries.

**3.** The said Village of Windermere shall comprise and consist of all that part of the said Township of Watt described as follows:—Commencing at a point on the line between lots 26 and 27 in the ninth concession of the Township of Watt, said point being the point where the said line intersects the windings of the River Dee; thence southerly along said line between lots 26 and 27 aforesaid in the ninth, eighth and seventh concessions of the Township of Watt to the shore line of Lake Rosseau; thence south-westerly to the boundary line between the said Township of Watt and the Township of Medora; thence north-westerly along said township line to a point where the River Dee would if extended intersect the said boundary line; thence in an easterly course following the windings of the River Dee to the place of beginning; together with and including the islands in Lake Rosseau lettered F, G and H and also "Ellen Island."

Returning officer, nomination meeting and election.

**4.** After the passing of this Act, it shall be lawful for H. D. Longhurst, who is hereby appointed the returning officer, to hold the nomination for the first election of reeve and councillors at the schoolhouse in the said Village of Windermere, at the hour of twelve o'clock noon, on the first Monday of May, 1923, of which he shall give one week's notice by a notice in writing posted up in at least six of the most public places in the said Village of Windermere, and the said H. D. Longhurst shall preside at the said nomination, or in case of his absence, the electors shall choose from among themselves a chairman to preside at the said nomination, and such chairman shall have all the powers of a returning officer, and the polling for the said election, if necessary, shall be held on the same day of the week next following, and the returning officer or chairman shall, at the close of the nomination, duly announce the polling places in the said Village of Windermere at which the polling is to take place.

Deputy returning officers.

**5.** The said returning officer or chairman shall, by his warrant, appoint a deputy returning officer for each polling place so announced by him, and such returning officer or chairman and each of such deputy returning officers shall, before holding the said election, take the oath of affirmation required by law, and shall respectively be subject to all the provisions of *The Consolidated Municipal Act, 1922*, applicable to returning officers at elections in villages in so far as the same do not conflict with this Act, and the said returning officer or chairman shall have all the powers and perform the several duties devolving on village clerks with respect to municipal elections in incorporated villages.



6. The clerk of the said Township of Watt, and any other officer thereof shall, upon demand made upon him by the said returning officer or any other officer of the said village, or by the chairman hereinbefore mentioned, at once furnish such returning officer, officers or chairman with a certified copy of so much of the last revised assessment roll for the said village and township as may be required to ascertain the names of the persons entitled to vote in the said village at the said first election, and with the collector's roll, and any document, statement, writing, or deed that may be required for that purpose, and the said returning officer shall furnish each of the said deputies with a true copy of so much of the said roll as relates to the names of the electors entitled to vote in each of the said polling divisions respectively, and each such copy shall be verified on oath.

Copies of  
assessment  
roll.

7. The council of the said village to be elected in manner aforesaid, shall consist of a reeve, who shall be the head thereof, and four councillors, and they shall be organized as a council on the same day of the week next following the week of polling, or if there be no polling, on the same day of the next week following the week of nomination, and subsequent elections shall be held in the same manner as in villages incorporated under the provisions of *The Consolidated Municipal Act, 1922*, and the said council and their successors in office, shall have, use, exercise and enjoy all the powers and privileges, and shall be subject to all the liabilities and duties of councils in such villages.

Council  
and powers.

8. The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification now required by *The Consolidated Municipal Act, 1922*, to be taken by persons elected or appointed to like office in villages.

Declaration  
by  
candidates.

9. At the first election of reeve and councillors for the said Village of Windermere, the qualifications of electors and that of the officers required to qualify shall be the same as that required in villages by *The Consolidated Municipal Act, 1922*, and the qualification for reeve shall be the same as that of a reeve in a village.

Qualifica-  
tions.

10. The council of the said Village of Windermere shall be entitled to recover from the said Township of Watt such share of all moneys on hand, due, owing and of right collectible by and belonging to the said township at and prior to the said time of incorporation or thereafter, if entitled thereto, as shall bear such proportion to the whole as the amount of the assessed property within the limits of the said village as shown by the collector's roll of the year 1922, bears to the whole amount of the assessed property of the said Township

Adjustment  
of assets  
and  
liabilities.

of Watt, and the said village shall be liable to pay to the said township a share in the same proportion of all debts and liabilities existing against the said township at the time this Act shall come into force, as the same shall become due and which are fairly and equitably chargeable against the said village, and in case of dispute, the share to be borne by each respectively shall be ascertained and settled under the provisions of *The Consolidated Municipal Act, 1922*.

Expenses  
of Act.

**11.** The expenses incurred in obtaining this Act and those of furnishing any documents or copies of papers, writings, deeds or any matters whatsoever required by the clerk or other officer of the said village or otherwise, shall be borne by the said village and paid by it to any party that may be entitled thereto.

Assessment  
for 1923  
confirmed;  
collection  
of taxes.

**12.** The assessment roll and the assessments and all other matters contained therein for all that part of the Township of Watt, that is hereby created into the Village of Windermere, as made by the assessor for the said Township of Watt for the year 1923, shall be valid and binding upon the persons and properties mentioned in the said assessment roll as if the said Corporation of the Village of Windermere had been created and the same had been made by an assessor duly appointed by the Council of said village municipality at the time the said assessment roll was made, and the clerk of the said Township of Watt shall forthwith after the expiration of the time limited for appealing to the Court of Revision from the said assessment roll, furnish to the said H. D. Longhurst, or to the clerk for the time being of the said Village of Windermere, a true copy certified as such under his hand and the seal of the Corporation of the Township of Watt, of so much of the said assessment roll as relates to the lands and other properties within the limits of said village, and the income and business assessment of persons residing within such limits, together with all notices of appeal from the assessment or other matters contained in or omitted from the said roll that have been filed with him that relate in any way to the said matters aforesaid, and thereafter the said appeals and the said portion of said assessment roll and the taxes to be payable thereunder shall belong to, be collected by, and be dealt with by the council of the said Village of Windermere in the same manner as if the said Village of Windermere had been regularly constituted at the time the said various proceedings were taken and had been made or received by duly appointed officials of the said Village Corporation.

Commence-  
ment  
of Act.

**13.** This Act shall come into effect on the day upon which it receives the Royal Assent.







4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate the Village  
of Windermere.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. ECCLESTONE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Town of Penetanguishene.

**W**HEREAS the Municipal Corporation of the Town of Penetanguishene has, by its petition, represented that it has incurred a floating indebtedness and liability of \$14,000, for the following purposes, namely: \$5,200 for permanent road construction; \$2,000 for a set of weigh-scales and installing same and erecting building therefor, and for erecting an implement shed; \$5,675 expended upon a Soldiers' Memorial Park, and Waterside Park; \$240 expended for charity and relief, more than levy therefor; \$550 for repairs to Town Hall and Council Chamber, for which no levy made; and \$350 for estimated costs in connection with this Act, in all making the aggregate of the said sum of \$14,000; and whereas it is desirable to acquire further land in connection with its Waterside Park and to fence the said park and make certain improvements in said park and for said purposes will require the sum of \$2,000; and whereas the said corporation has represented that to liquidate the said floating indebtedness forthwith, in addition to meeting the ordinary necessary annual expenses of the municipality, would be unduly oppressive to the ratepayers, and has prayed that the said floating indebtedness of \$14,000 be consolidated and it may be authorized to borrow by the issue and sale of debentures sufficient money to discharge the said floating indebtedness and to provide \$2,000 for the purposes of the said park; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The floating debt of the Corporation of the Town of Penetanguishene is consolidated at the sum of \$14,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding \$16,000 for the purpose of paying the said floating debt of \$14,000 and for the purpose of acquiring further land, fencing and improving its Waterside Park the sum of \$2,000.

Floating debt consolidated; authority to borrow \$16,000.

Term, etc.,  
of debentures.

2. The said debentures shall be made payable in annual instalments of \$1,000 each, with interest not exceeding five and one-half per cent. per annum upon balances from time to time remaining unpaid, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Special  
rate.

3. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application  
of proceeds  
of sale.

4. The said debentures and all moneys arising from the sale thereof under section 1, shall be applied in payment of the said floating debt of \$14,000 and for park purposes as aforesaid the sum of \$2,000, and for no other purposes.

Assent of  
electors not  
required.

5. It shall not be necessary to obtain the assent of the electors qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*.

Irregularity  
in form not  
to invalidate.

6. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures, or as to the application of the proceeds thereof.

Treasurer to  
keep proper  
book of  
account.

7. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the said municipal council, to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by the preceding sections, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.





4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of  
Penetanguishene.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. MURDOCH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of Brantford.

**W**HEREAS the Corporation of the City of Brantford <sup>Preamble</sup> has by its petition prayed for special legislation in respect of the matters herein set forth; and whereas by-laws have been passed by the Municipal Council of the Corporation of the City of Brantford to provide by the issue of debentures the sum of two hundred and eleven thousand dollars (\$211,000) and one hundred and twenty-four thousand dollars (\$124,000) making a total of three hundred and thirty-five thousand dollars (\$335,000) for the construction of a new bridge to replace the present Lorne Bridge in the said City of Brantford, which by-laws have been passed with the assent of the electors of the City of Brantford qualified to vote on money by-laws, and it is desirable that the Municipal Council of the Corporation of the City of Brantford be enabled to pass a by-law in lieu of said by-laws to provide, by the issue of debentures, the sum of three hundred and thirty-five thousand dollars (\$335,000) and to make such debentures payable as to principal at the expiration of a period of forty years from the issue thereof and to contain a provision for a sinking fund with the estimated interest at the rate not exceeding four per cent. per annum which capitalized yearly will be sufficient to pay the principal of the debentures when they become due, the estimated lifetime of the bridge to be constructed being not less than a period of sixty years; and whereas in answer to a question submitted to them, the electors of the City of Brantford have voted by a very large majority in favour of the constitution of a Board of Police Commissioners for the City of Brantford to consist of five members, of which commission the Judge of the County of Brant, the Police Magistrate of the City of Brantford and the Mayor of the City of Brantford shall be members, and the remaining two members shall be elected annually by the electors qualified to vote at municipal elections in the City of Brantford; and whereas the Corporation of the City of Brantford desires to have constituted a commission to be known as the Brant War Memorial Commission with the powers herein set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of Brantford Act, 1923*.

Power to borrow \$335,000 for new Lorne bridge.

**2.** The Council of the Corporation of the City of Brantford may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law to provide, by the issue of debentures, the sum of three hundred and thirty-five thousand dollars (\$335,000) to construct a new bridge to replace the present Lorne Bridge in the City of Brantford, and such debentures may be made payable as to principal at the expiration of a period of forty years from the issue thereof, and may contain a provision for a sinking fund with the estimated interest at a rate not exceeding four per cent. per annum which capitalized yearly will be sufficient to pay the principal of the debentures when they become due.

Board of Police Commissioners.

**3.** The Board of Police Commissioners for the City of Brantford shall consist of the Judge of the County of Brant, the Mayor of the City of Brantford, the Police Magistrate for the City of Brantford and two members, residents of the City of Brantford elected annually by the municipal electors at the same time as the municipal elections.

Brant War Memorial Commission.

**4.—(1)** The Council of the Corporation of the City of Brantford may by by-law appoint a commission to be known as Brant War Memorial Commission.

Incorporation: members.

**(2)** Such commission shall be a body corporate with perpetual succession and a common seal, and shall be composed of the head of the Council of the City of Brantford for the time being, the Warden of the County of Brant, for the time being, and the treasurer of the City of Brantford for the time being, and three persons resident within the City of Brantford or the County of Brant, who are not members of the Council.

Appointment of members.

**(3)** The members of the commission other than the head of the Council, the warden of the County of Brant, and the treasurer of the City of Brantford shall be appointed by the municipal Council of the City of Brantford upon the nomination of the executive body of the Brant War Memorial Association, and shall hold office during their lifetime, subject however, to vacancies caused by death or removal outside of the City of Brantford and County of Brant, or by their becoming insane, or by resignation, and such vacancies as shall occur shall be filled by appointment by the said municipal

council upon the recommendation of the executive body of the Brant War Memorial Association.

(4) The members of the said commission shall serve <sup>Salary.</sup> without salary or other remuneration.

(5) The commission shall elect a chairman and vice-<sup>Officers.</sup> chairman, and the latter shall preside at all meetings of the commission in the absence of the chairman.

(6) The commission shall have a corporate seal and all <sup>Corporate seal and conveyances.</sup> agreements of sale, conveyances and other documents shall be executed by the chairman or vice-chairman and secretary under the corporate seal, but where by an oversight the seal has not been affixed, it may be affixed at any time thereafter, and when so affixed the document shall be as valid and effectual as if it had been originally sealed.

5. The object of the commission constituted under the <sup>Object of Commission.</sup> provisions hereof is to acquire the lands herein described and in due course to convert same into a Memorial Park in commemoration of the Great War and erect and construct thereon such memorials by means of statues, buildings and parks as said commission shall determine.

6. The said commission may solicit and receive grants <sup>Grants.</sup> and bequests of money or real or personal property, and hold, buy, sell or otherwise deal therein.

7. The said commission may acquire by gift or purchase <sup>Expropriation and acquisition of certain lands.</sup> or may expropriate all the lands in the City of Brantford within the area bounded by Wellington Street, West Street, Bridge Street, Dalhousie Street and Brant Avenue, and including such portion of the block consisting of lots numbers one and two North Darling Street and lots numbers one and two South Wellington Street, as may be required by the commission, and in the event of expropriation the price, if not agreed upon, shall be fixed by arbitration in accordance with the provisions of *The Consolidated Municipal Act, 1922* respecting arbitration in the case of lands taken by a municipal corporation.

8. The said commission, may give to the owner of any <sup>Notice of expropriation.</sup> lands within the area herein mentioned notice that the commission will expropriate same at a date to be set forth in such notice of expropriation during a period not exceeding seven years from the date of such notice, and shall not in any event be called upon to pay for any improvements or new structures placed upon said lands covered by such notice, after the giving of same; provided always that in respect of

such lands as notice shall be given, the commission shall be bound to proceed with the expropriation thereof within the period set forth in said notice, and in default the owner of such lands shall be entitled to proceed with an arbitration under the provisions of *The Consolidated Municipal Act, 1922*, and to have the amount to which he is entitled as the purchase price of the said lands ascertained, and shall have the right to recover such amount against such commission by action in any court of competent jurisdiction.

Management of acquired property.

**9.** The said commission may manage and control all properties which it shall acquire, demise and lease the same, and collect the rents, issues and profits thereof during the development of the scheme for which the same are acquired.

Borrowing powers.

**10.** The said commission may issue bonds secured by mortgage or otherwise upon the real estate owned by the commission and borrow moneys upon the security of said bonds or otherwise to effect its object.

Council may issue bonds on security of real property of Commission.

**11.** The municipal council of the Corporation of the City of Brantford may, at the request of the Board of Park Commissioners thereof, issue bonds or debentures secured by mortgage or otherwise upon the real property, under the management and control of the said Board of Park Commissioners within the limits of the City of Brantford, for the purpose of raising money to aid the said commission, and to pay the proceeds to the said commission for the attainment of its object.

Aid by municipality

**12.** The municipal council of the Corporation of the City of Brantford may issue bonds or debentures upon the credit of the municipality of the City of Brantford, and with the assent of the electors qualified to vote on money by-laws, devote the proceeds thereof to the purpose of said commission.

Conveyance to city on completion.

**13.** Upon the completion of the objects and purposes the said commission shall convey and transfer to the Corporation of the City of Brantford the said lands and premises together with the memorials and parks erected thereon, and same shall thereupon come under the management and control of the Board of Park Commissioners of the City of Brantford.









No. 34.

4th Session, 15th Legislature,  
13 George V, 1923

BILL.

An Act respecting the City of  
Brantford.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. MACBRIDE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty

# BILL

An Act respecting the City of Brantford.

**W**HEREAS the Corporation of the City of Brantford <sup>Preamble</sup> has by its petition prayed for special legislation in respect of the matters herein set forth; and whereas by-laws have been passed by the Municipal Council of the Corporation of the City of Brantford to provide by the issue of debentures the sum of two hundred and eleven thousand dollars (\$211,000) and one hundred and twenty-four thousand dollars (\$124,000) making a total of three hundred and thirty-five thousand dollars (\$335,000) for the construction of a new bridge to replace the present Lorne Bridge in the said City of Brantford, which by-laws have been passed with the assent of the electors of the City of Brantford qualified to vote on money by-laws, and it is desirable that the Municipal Council of the Corporation of the City of Brantford be enabled to pass a by-law in lieu of said by-laws to provide, by the issue of debentures, the sum of three hundred and thirty-five thousand dollars (\$335,000) and to make such debentures payable as to principal at the expiration of a period of forty years from the issue thereof and to contain a provision for a sinking fund with the estimated interest at the rate not exceeding four per cent. per annum which capitalized yearly will be sufficient to pay the principal of the debentures when they become due, the estimated lifetime of the bridge to be constructed being not less than a period of sixty years; and whereas the Corporation of the City of Brantford desires to have constituted a commission to be known as the Brant War Memorial Commission with the powers herein set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of Brantford Act*, <sup>Short title.</sup> 1923.

Power to  
borrow  
\$335,000  
for new  
Lorne  
bridge.

2. The Council of the Corporation of the City of Brantford may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law to provide, by the issue of debentures, the sum of three hundred and thirty-five thousand dollars (\$335,000) to construct a new bridge to replace the present Lorne Bridge in the City of Brantford, and such debentures may be made payable as to principal at the expiration of a period of forty years from the issue thereof, and may contain a provision for a sinking fund with the estimated interest at a rate not exceeding four per cent. per annum which capitalized yearly will be sufficient to pay the principal of the debentures when they become due.

Brant War  
Memorial  
Commis-  
sion.

3.—(1) A commission is hereby constituted to be known as Brant War Memorial Commission.

Incorpora-  
tion:  
members.

(2) Such commission shall be a body corporate, and shall be composed of the head of the Council of the City of Brantford for the time being, the Warden of the County of Brant, for the time being, and the treasurer of the City of Brantford for the time being, and three persons resident within the City of Brantford or the County of Brant, who are not members of the Council.

Appoint-  
ment of  
members.

(3) The members of the commission other than the head of the Council, the warden of the County of Brant, and the treasurer of the City of Brantford shall be appointed by the municipal Council of the City of Brantford upon the nomination of the executive body of the Brant War Memorial Association but the commission may refuse to appoint any or all of the persons so nominated in which case further nomination shall be made by the executive body of the Brant War Memorial Association until three persons are nominated who are approved by the commission.

Tenure of  
office,  
filling  
vacancies.

(4) The appointed members of the Board shall hold office during their lifetime subject, however, to vacancies caused by death or by resignation or by removal outside of the City of Brantford and County of Brant, or by incapacity, and such vacancies as shall occur shall be filled by appointment by the said Municipal Council upon the nomination of the executive body of the Brant War Memorial Association made as hereinbefore provided.

Salary.

(5) The members of the said commission shall serve without salary or other remuneration.

Officers.

(6) The commission shall elect a chairman and vice-chairman, and the latter shall preside at all meetings of the commission in the absence of the chairman.

(7) The commission shall have a corporate seal and all agreements of sale, conveyances and other documents shall be executed by the chairman or vice-chairman and secretary under the corporate seal, but where by an oversight the seal has not been affixed, it may be affixed at any time thereafter, and when so affixed the document shall be as valid and effectual as if it had been originally sealed. Corporate seal and conveyances.

4. The object of the commission constituted under the provisions hereof is to acquire the lands herein described and in due course to convert same into a Memorial Park in commemoration of *those who lost their lives in the Great War* and erect and construct thereon such memorials by means of statues, buildings and parks as said commission shall determine. Object of Commission.

5. The commission may solicit gifts and donations and real and personal property may be devised, bequeathed, granted, conveyed or given to the commission, and the Corporation of the City of Brantford and the Corporation of the County of Brant may make grants to assist the commission in carrying out its objects, and the commission may sell any such real or personal property when no longer required for its purposes. Grants.

6.—(1) The said commission may acquire by gift or purchase or may expropriate all *or part of* the lands in the City of Brantford within the area bounded by Wellington Street, West Street, Bridge Street, Dalhousie Street and Brant Avenue, and including such portion of the block consisting of lots numbers one and two North Darling Street and lots numbers one and two South Wellington Street, as may be required by the commission, and in the event of expropriation the price, if not agreed upon, shall be fixed by arbitration in accordance with the provisions of *The Consolidated Municipal Act, 1922* respecting arbitration in the case of lands taken by a municipal corporation. Expropriation and acquisition of certain lands.

(2) The power of expropriation hereby given shall be exercised within a period of seven years, and as to any of said lands in regard to which such power shall not be exercised within such period, it shall expire at the expiration of seven years from the passing of this Act.

7. The said commission may manage and control all properties which it shall acquire, demise and lease the same, and collect the rents, issues and profits thereof during the development of the scheme for which the same are acquired. Management of acquired property.

Borrowing  
powers.

**8.** The said commission may mortgage the real estate owned by the commission and borrow moneys upon the security of said *mortgage* to effect its object.

Aid by  
municipal-  
ity.

**9.** The Council of the Corporation of the City of Brantford may, with the assent of the electors qualified to vote on money by-laws, pass by-laws to borrow money by the issue of debentures payable within a period not exceeding thirty years from the date of issue, upon the credit of the corporation at large and may devote the same to the purpose of the said commission.

Aid by  
county.

**10.** The Council of the County of Brant may without the assent of the electors qualified to vote on money by-laws, pass by-laws to borrow money by the issue of debentures payable within a period not exceeding thirty years from the date of issue, upon the credit of the corporation at large, and may devote the same to the purpose of the said commission.

Conveyance  
to city on  
completion.

**11.** Upon the completion of *its* objects and purposes the said commission shall convey and transfer to the Corporation of the City of Brantford the said lands and premises together with the memorials and parks erected thereon, and *the* same shall thereupon come under the management and control of the Board of Park Commissioners of the City of Brantford.









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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the City of  
Brantford.

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1st Reading,	15th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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*(Reprinted as amended by the Private Bills  
Committee).*

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MR. MACBRIDE.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Township of Scarborough.

**W**HEREAS the Municipal Corporation of the Township of Scarborough has by petition shown that certain powers with reference to the construction of water works in defined areas, the removal of ashes and the licencing and registration of dogs were conferred upon it and the Township of Etobicoke by an Act passed in the eighth year of the reign of His Majesty King George the Fifth, chapter 81; and whereas it is desirable that the said Act should be repealed and the said powers, with the additions hereinafter set forth, should be conferred upon the Township of Scarborough separately; and has shown that owing to the great increase of population in the township it is necessary to the good government of the municipality that it should be granted certain of the powers given by *The Consolidated Municipal Act, 1922*, to urban municipalities and that it is necessary to obtain authority to construct a system or systems of sewers and sewage disposal works in and at the cost of any defined area or areas of the municipality, and to obtain authority to acquire lands as sites for, and to erect fire halls, and to purchase fire appliances for the benefit and at the cost of such defined area or areas; and has asked for special legislation validating its tax sales and the by-laws hereinafter set forth; and whereas it is expedient to grant the prayer of said petition:

Preamble

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Township of Scarborough Act, 1923*. Short title.
2. The Council of the Corporation of the Township of Scarborough may pass by-laws: Authority to pass by-laws.
  - (1) To acquire, construct, extend, maintain and operate a system or systems of water works, including the laying of mains and other appliances to connect with Construction water-works in defined areas.

any existing system of water works, whether owned by the corporation, or by any other corporation or person, for the benefit of any defined sections or areas of the municipality which may from time to time be described in a petition to, or designated by, the council.

Levy of  
cost.

- (2) To provide in any such by-law that the whole cost of acquiring, constructing, extending or repairing any such system of water works, or any part thereof, shall be charged and levied upon and from all the real property in any such defined sections or areas, and that such cost shall include, in addition to the ordinary cost of construction, the cost of all connections, mains, hydrants, stop cocks, fittings and appliances of every kind whatsoever, and including those parts of the work situate at street intersections in connection with the system, as well as any claim for damages arising out of, or incidental to, the acquiring, construction or maintenance of said works.

Branch  
water mains,  
service pipes.

- (3) To provide for the construction and installation of branch water mains, service pipes, stop cocks and appliances, and all other necessary works, appliances and apparatus, upon any street within any such defined sections or areas, the whole cost of such branch water mains, with the exception of those parts of such works as are situate at street intersections and are chargeable against the defined area or areas, to be specially assessed against the lands abutting such branch mains, and no portion of the cost against the municipality at large. 8 Geo. V, c. 81, s. 1 (1-3).

Cost at  
street inter-  
sections.

- (4) The construction of the works designated in subsection 3 of this section may be undertaken as local improvements, but in such case the portion of the works situate at street intersections shall be charged against the real property in the defined area or combined areas, as the case may be, in which the work is situate, and not against the municipality at large.

Cost trunk  
mains in  
certain  
cases.

- (5) Wherever a trunk main or water pipe is constructed so that it may be used for the supplying of water to abutting property without the construction of any branch main for such purpose, such portion of the cost of such trunk main as the council of the corporation may designate shall be charged against the abutting property in the same manner as the case of a branch main laid as a local improvement.

- (6) When in order to effect the reduction of assessment, provided for in section 24 of *The Local Improvement Act*, the said corporation has reduced the assessment on any lands or portions of lands which would otherwise be specially charged for a portion of the cost of construction mentioned in this section, and has charged the amount of the said reduction to the water works area in which the lands are situate, and after the passing of this Act, buildings in which a water service is used shall have been erected on the lands the assessment of which is so reduced, the cost of the construction mentioned in this section may be assessed against and levied upon the lands so built on for a period of years equal to the term of the debentures issued to pay for the cost of such construction, and the amount paid on account thereof shall be placed to the credit of the water works and maintenance account of the said corporation in respect to said area, provided that the rate to be charged against the said lands so assessed against and levied upon shall be the same as is charged against the lands adjoining thereto.
- Assessing  
cost where  
assessment  
reduced  
under Rev.  
Stat. 1914,  
c. 193, s.  
24.

3. The council of the corporation may pass by-laws to borrow on the credit of the corporation at large from time to time the money necessary for carrying out the works designated in section 2 and may issue debentures to the requisite amount, payable in thirty years from their issue in respect to the works designated in subsections 1 and 2 of section 2, and in twenty years in respect to the works designated in subsection 3 of section 2, and for the purpose of paying the debentures issued in respect to the works designated in said subsections 1 and 2 shall levy such sums as may be requisite by annual special rates on the dollar, according to the revised assessment roll from year to year, upon all the real property liable therefor contained in any such sections or areas, and for the purpose of paying the debentures issued in respect to the works designated in said subsection 3 shall levy such sums as may be requisite to meet the portion of the cost of the works situate at street intersections by annual special rates on the dollar, according to the revised assessment roll from year to year, upon all the real property liable therefor contained in the area or areas in which such works may be situate, and to meet the remainder of the cost of such works shall levy such sums as may be requisite upon the lands fronting and abutting directly on the work, according to the extent of their respective frontages thereon, by an equal annual special rate per foot of such frontage, in the same manner in all respects as like or similar rates are levied and collected under *The Local Improvement Act*.

Power to  
borrow  
money for  
works  
authorized.

**Special rate.**     **4.** The council of the corporation may carry on, maintain and operate any such system of water works, and levy and collect the whole cost of and incidental thereto upon and from the real property contained in any such defined sections or areas, by a special rate or rates on the dollar, according to its assessed value, and for the purposes aforesaid the corporation shall have and possess, *mutatis mutandis*, all the powers given to municipal corporations in respect to municipal water works in Parts I and IV of *The Public Utilities Act*, and any amendments thereto which may hereafter be passed.

**Surplus revenue.**     **5.** The surplus revenues arising from the carrying on, maintenance and operation of any such system, after providing for the expense thereof, in any year, shall form part of the funds for the carrying on, maintenance and operation of the said system for the following year or years, but the council may, nevertheless, in any one year, apportion such part of said surplus revenues as they may consider advisable towards the payment of the debentures or interest thereon issued in respect to the main system of water works falling due in such year, when the special rate to be levied for payment of the debentures and interest falling due in such year shall be reduced accordingly.

**Losses: how charged.**     **6.** All loss in connection with, or any excess of expense over and above the revenue received in respect to carrying on, maintaining and operating any such water system, and all claims for damages arising in respect or incidental thereto, in any year shall be charged against the real property contained in any such sections or areas, and shall be levied and collected therefrom by a special rate or rates on the dollar, according to its assessed value, in the same manner as other taxes are levied, provided that any surplus revenue which may be on hand from any previous year or years shall be applied to any such loss or damages before any such special rate is levied.

**Application provisions of Rev. Stat. 1914, c. 193.**     **7.** The provisions of *The Local Improvement Act* shall, *mutatis mutandis*, apply to all works undertaken pursuant to the foregoing sections of this Act in any such defined area or areas which are certified by an engineer employed by the corporation to be branch mains, or trunk mains utilized also as local service or branch mains, as provided by subsection 5 of section 2 of this Act.

**Authority to pass by-laws.**     **8.** The Council of the Corporation of the Township of Scarborough may from time to time pass by-laws:

**Enlarging defined area.**     (1) To enlarge or extend any such defined area by adding thereto such portion or portions of the township as

may be described in a petition to, or designated by the council.

- (2) To construct, extend, maintain and operate one main <sup>Operating one main system.</sup> system of water works in any such enlarged or extended area, or in two or more defined areas.
- (3) To provide that the cost of acquiring, constructing, <sup>Levying cost.</sup> extending, maintaining and operating any such system in the whole area or areas described in any by-law passed pursuant to subsections 1 and 2 of this section, including the portions of the cost of branch mains at street intersections payable by any such described defined area, shall be levied upon and from all the real property in such enlarged or extended area, or upon and from all the real property in any such two or more defined areas, as the case may be, and such cost shall include all liabilities previously incurred in respect to such works, but accruing due subsequent to the passing of such by-law.

**9.** It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to the foregoing provisions of this Act, but no by-law setting apart any defined area, or providing for the construction and operation of the main water works system in such area, and no by-law purporting to be pursuant to section 8 of this Act, shall be finally passed until a certificate shall have been obtained from the Ontario Railway and Municipal Board, and said Board may, on an application for a certificate in respect to a by-law purporting to be passed pursuant to section 8 of this Act, make such adjustment of the proportion of cost to be borne by the respective areas, or parts thereof, as may to it appear equitable. Every by-law when the same has been approved by the Ontario Railway and Municipal Board, and the debentures which may be issued in substantial conformity with its provisions, shall be valid and binding upon the corporation and upon the lands liable for the rate imposed by or under the authority of the by-law, and the validity of the by-law and every debenture issued pursuant to the same shall not thereafter be open to question in any court. <sup>Assent of electors: certificate of Board.</sup>

**10.** The putting down of water mains, service pipes, hydrants, stop cocks or other appliances by the said corporation on any streets laid out on a registered plan, or on land used as a highway, and the assessing of the costs of such water mains, service pipes, hydrants, stop cocks or other appliances against the lands fronting and abutting thereon, and the collection <sup>Assumption of highways by municipality</sup>

of the rates therefor, shall not be deemed an assumption of the said streets or lands as highways of the municipality.

Supplying  
water out-  
side defined  
area.

**11.** The Corporation may, but shall not be obliged to, supply water for the use of persons, institutions or corporations not within any such defined areas, and may supply water for the one use of any adjoining municipal corporation, on such terms as to payment for the same as may be agreed upon between the corporation and such persons, institutions, corporations or municipalities, as the case may be.

**12.** It is declared that the corporation shall be held to have possessed all the powers conferred upon it by sections 2 to 11 of this Act in respect to all by-laws passed and works authorized or constructed, or in course of construction, and purporting to be passed or undertaken pursuant to the said Act. 8 George V, chapter 81.

Authority  
to pass  
by-laws.

**13.—(1)** The Council of the Corporation of the Township of Scarborough may pass by-laws:

Sewers.

(a) To construct, operate and maintain sewers, a sewerage system, sewage disposal works, and pumping stations, outfall sewers and storm overflow sewers for the benefit of any defined area or areas of the township in which a water works system is in operation or, is in course of construction.

Levy of  
cost.

(b) To provide in any such by-law that the whole cost of constructing, operating and maintaining any such sewerage system, sewage disposal works, sewers, and pumping stations, outfall sewers and storm overflow sewers, other than those mentioned in clause *c* of this subsection, shall be charged and levied upon and from all the real property in any such defined area or areas, and that such cost shall include, in addition to the ordinary cost of construction, the cost of all connections and appliances of every kind whatsoever, and including those parts of the work situate at street intersections in connection with the system, as well as any claim for damages arising out of or incidental to the construction and maintenance of said works.

Construc-  
tion as local  
improve-  
ments under  
Rev. Stat.  
1914, c. 193.

(c) To provide for the construction in any such area or areas as local improvements of all such sewers, sewer connections and sewerage works of any kind whatsoever which a muni-



city has power to construct under the provisions of *The Local Improvement Act*, and the corporation shall have, in respect to the construction of such works in any such defined area or areas, all the powers given to municipalities by *The Local Improvement Act*, and may exercise such powers in such defined area or areas, the same in all respects, *mutatis mutandis*, as if such defined area or areas comprised the whole municipality, and wherever in *The Local Improvement Act* it is provided that any portion of the cost of the construction of a sewer or sewerage works may be charged against the corporation, then in the case of like works in a defined area or areas such portion of the works shall instead be charged and levied upon and from all the real property in the defined area or areas in which the work is situate.

(2) The said corporation may pass by-laws to borrow on the credit of the corporation at large from time to time the moneys necessary for carrying out the works designated in subsection 1 of this section, and may issue debentures to the requisite amount, payable in thirty years, at furthest, from their issue, but in any case within the lifetime of the work as estimated by the engineer in charge of the work.

(3) It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to this section, but no by-law providing for the construction of any main sewerage system or sewerage disposal works in or for the benefit of any defined area, or for the extension of any such system or works to include any addition to such defined area, or to two or more such areas, shall be finally passed until a certificate shall have been obtained from the Ontario Railway and Municipal Board approving of such by-law, and every by-law when the same has been approved by the Ontario Railway and Municipal Board, and the debentures which may be issued in substantial conformity with its provisions, shall be valid and binding upon the corporation and upon the lands liable for the rate imposed by or under the authority of the by-law, and the validity of the by-law and every debenture issued pursuant to the same shall not thereafter be open to question in any court, and said Board may, an application being made for approval of any such by-law, make such adjustment of the proportion of the cost of any such system or works as between two or more defined areas, or parts thereof, as may to it appear equitable.

Cost not  
to be borne  
by municipi-  
pality at  
large.

(4) Notwithstanding anything contained in *The Local Improvement Act*, no portion of the cost of constructing, operating, maintaining or repairing any of the works authorized by subsection 1 of this section shall be payable by the municipality at large, and in every case where such cost is not chargeable specially to the property immediately abutting the work it shall be borne by the defined area or areas in which it is situate.

Agreements  
re sewage  
with  
adjoining  
municipali-  
ties.

(5) The council may enter into agreements with any adjoining municipality for the admission of sewage from the township into the sewers, outlets and works of such adjoining municipality, upon such terms as may be mutually agreed upon, and may make annual or more frequent payments for the service thereby obtained, and all such payments, together with all other costs incurred in respect to such service, shall be charged, levied and collected upon and from all the real property in the defined area or areas served, the same in all respects as if the same were part of the cost of maintenance of the sewerage system within the area.

Application  
certain  
provisions  
Rev. Stat.  
1914, c. 193.

**14.** Section 40, subsections 1 and 2 and sections 43, 53, 54 and 55 of *The Local Improvement Act* shall apply to all by-laws passed as local improvement by-laws pursuant to the powers given by this Act.

Application  
provisions  
1922, c. 72,  
s. 296.

**15.** The provisions of section 296 of *The Consolidated Municipal Act, 1922*, shall apply to any by-law passed pursuant to the foregoing sections hereof which has not received the approval of the Ontario Railway and Municipal Board.

Removal  
ashes, etc.

**16.** The Council of the Corporation of the Township of Scarborough may from time to time pass by-laws providing for the collection, removal and disposal by the corporation of ashes, garbage and other refuse throughout the municipality, or any defined areas thereof, as set apart by the council, at the expense of the owners and occupants of the land contained in such defined areas, and for imposing upon such land, according to its assessed value, a special rate on the dollar to defray the expense of such collection, removal and disposal.

Licensing  
dogs.

**17.** The Council of the Corporation of the Township of Scarborough may from time to time pass by-laws for licensing, tagging and otherwise controlling dogs, and imposing such fees therefor as the council may see fit on the owners, possessors or harbourers of them, with the right to impose a larger tax in case of bitches, or for each additional dog or bitch where more than one is owned, possessed or harboured by any one person, or in any one household, but the tax imposed under any such

by-law shall not be less than is provided in *The Dog Tax and Sheep Protection Act*, or any amendments thereto which may hereafter be passed, and while any such by-law is in force sections 3 to 7 of *The Dog Tax and Sheep Protection Act* shall not apply to the municipality passing the same, and it shall not be necessary to enter any particulars as to dog taxes in the collector's roll, but the moneys collected shall be applied in all respects the same as if they had been collected and paid to the municipality under said sections 3 to 7. Rev. Stat. 1911, c. 246.

**18.** The Council of the Corporation of the Township of Scarborough may pass by-laws for the purchase of sites for, and the erection, care, maintenance and repair of fire halls or stations, including a community hall, in any such fire hall building within any defined area or areas of the township in which a water works system is in operation or in course of construction, and for the purchase of fire engines, fire apparatus and appliances, the whole cost thereof to be levied and collected upon and from all the rateable property within such defined area or areas, and may issue debentures payable in thirty years from their issue to defray the cost of any such fire hall or station, including a community hall in connection therewith, and shall levy such sums as may be requisite for the purpose of paying the debentures and interest by annual special rates on the dollar, according to the last revised assessment roll from year to year, upon all the ratable property contained in any such area or areas, provided that before it is finally passed every such debenture by-law shall have received the assent of the electors entitled to vote on money by-laws in such area or areas, in the manner, and subject to the conditions prescribed in Part X of *The Consolidated Municipal Act, 1922*. Erection firehalls in defined areas. 1922, c. 72.

**19.** The Council of the Corporation of the Township of Scarborough may pass by-laws for the following purposes: Authority to pass by-laws.

- (1) For inspecting public bathing houses and boat houses or premises wholly or partly used for boat house purposes, and for prohibiting their use for illegal or immoral purposes. Bathing houses.
- (2) For regulating the size and strength of brick, stone, cement and concrete walls, and of the beams, joists, rafters, roofs and their supports of all buildings to be erected, altered or repaired, and for requiring the production of the plans of all buildings, and for charging fees for the inspection and approval of such plans, and fixing the amount of the fees. Strength of buildings.
- (3) For regulating the removing or wrecking of buildings, and the spraying thereof during such work, so as to prevent dust or rubbish arising therefrom. Wrecking buildings.

- |                        |  |
|------------------------|--|
| Use of building.       | (4) For regulating and governing the use of any building for purposes for which it may be structurally unsuited or which from the size or strength of its walls, supports or floors may render the same dangerous, and for requiring the owner or occupant to obtain a permit from the architect or other municipal officer named in the by-law before putting any building to such use.   |
| Cellar levels.         | (5) For requiring owners and occupants to furnish the council with the levels, with reference to a line fixed by by-law, of their cellars heretofore or hereafter dug or constructed, and for taking such other means as may be deemed necessary for ascertaining such levels.   |
| Filing of plans.       | (6) For requiring to be deposited with an officer named in the by-law, before the erection of a building is commenced, a ground or block plan of the building with the levels of the cellars and basements, with reference to a line fixed by by-law.  |
| Children on streets.   | (7) For prohibiting children from riding on the platforms of cars, or riding behind or getting on wag-gons, sleighs or other vehicles while in motion, and for preventing accidents arising from such causes.  |
| Fire Dept. vehicles.   | (8) For providing that the reels, engines and vehicles of the Fire Department shall have the right-of-way on the streets and highways while proceeding to a fire or answering a fire alarm call.   |
| Local fire depts.      | (9) For appointing fire wardens, fire engineers and firemen, and for promoting, establishing and regulating fire, hook-and-ladder, and property-saving companies.  |
| Gratuities to firemen. | (10) For providing medals or rewards for persons who distinguish themselves at fires, and for granting gratuities to the members of the fire brigade who have become incapacitated for service on account of injuries or ill-health caused by accident or exposure at fires, or from old age or inability to perform their duties, and for granting pecuniary aid or other assistance to the widows and children of persons killed by accident while in the discharge of their duties at fires, or who die from injuries received or from illness contracted while in the service of the corporation as firemen. |
| Safety zones.          | (11) For setting aside and designating in a suitable, visible manner, on any highway upon which street cars are  |

operated, any part or parts as a "safety zone" and for prohibiting motor or other vehicles from driving over or upon any such safety zone while any pedestrian is thereon or about to enter thereon.

- (12) For prohibiting or regulating the sale by retail in the highways or on vacant lots adjacent to them of any meat, vegetables, grain, hay, fruit, beverages, smallwares and other articles, and for regulating traffic in and preventing the blocking up of the highways by vehicles or otherwise. Retailers on highways.
- (13) For declaring any highway or part of a highway to be a residential street, and for prescribing the distance from the line of the street in front of it at which no building on a residential street may be erected or placed. Residential streets.
- (a) It shall not be necessary that the distance shall be the same on all parts of the same street.
- (b) The by-law shall not be passed except by a vote of two-thirds of all the members of the council.

**20.** All sales of land within the township made prior to the thirty-first day of December, one thousand, nine hundred and twenty-one, which purport to have been made by the corporation for arrears of taxes in respect to lands so sold, for which tax deeds have been issued by the said corporation are hereby validated and confirmed, and all deeds of lands so sold executed by the reeve and treasurer of the corporation purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns, are hereby validated and confirmed, and shall have power of vesting the lands so sold or conveyed, or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his, her or their assigns, in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale, or his, her or their assigns, and all charges or encumbrances thereon and dower therein, except taxes, for the non-payment of which the said lands were sold. Tax sales and deeds prior to 31st Dec., 1921. confirmed

**21.** By-law number 1175 of the Township of Scarborough, being a by-law to set apart a defined area of the township, and to authorize the issue of debentures to the amount of twenty-five thousand dollars for the purpose of procuring funds for the purchase of a site and the erection thereon of a fire hall or station, the cost to be charged to such defined By-law No. 1175 Twp. of Scarborough confirmed.

area, as set forth in Schedule "A" to this Act, is hereby validated and confirmed and the debentures issued pursuant to said by-law are declared to be valid and binding on the said township.

By-law No.  
1179 Twp.  
of Scar-  
borough  
confirmed.

**22.** By-law number 1179 of the Township of Scarborough, being a by-law to authorize the issue of debentures to the amount of forty thousand dollars for the purpose of procuring funds to pay for the construction of certain bridges in the township, as set forth in Schedule "B" to this Act, is hereby validated and confirmed and the debentures issued pursuant to said by-law are declared to be valid and binding on the said township.

1918, c. 81,  
repealed.

**23.** The Act passed in the eighth year of the reign of His Majesty King George the Fifth, chaptered 81, entitled, "An Act respecting the Townships of Scarborough and Etobicoke, is, in so far as it applies to the Township of Scarborough, hereby repealed.

## SCHEDULE "A."

## BY-LAW NUMBER 1175 OF THE TOWNSHIP OF SCARBOROUGH,

being a by-law to set apart a defined area of the township, and to authorize the issue of debentures to the amount of twenty-five thousand dollars for the purpose of procuring funds for the purchase of a site and the erection thereon of a fire hall or station, the cost to be charged to such defined area.

Whereas owing to the great increase of buildings in the township of Scarborough in the area hereinafter defined, it is expedient to provide for suppressing fires therein, and for such purpose to purchase a site and erect a fire hall or station thereon within such area.

And whereas the council considers the lands hereinafter described to be an area within which it is necessary to provide for suppressing and for preventing the spread of fires.

And whereas estimates have been procured of the cost of purchasing a site and the erection of a fire hall or station, and it is estimated that the cost thereof will be twenty-five thousand dollars, and it is expedient to issue debentures of the township for the purpose of procuring funds for such purpose.

And whereas the debt to be created by this by-law is to be repaid in twenty years from the date of the issue of the debentures, and the amount required to be levied and collected annually from such area for payment of such debentures and interest is the sum of \$2,092.00.

And whereas it is expedient to borrow the sum of twenty-five thousand dollars upon the credit of the township and to issue debentures of the township therefor.

And whereas the debenture debt of the corporation at the present time is the sum of \$1,027,217.54, of which neither principal nor interest is in arrear.

And whereas the whole rateable property of the municipality, according to the last revised assessment roll, is the sum of \$5,537,227.00.

Now therefore be it and it is hereby enacted:

(1) The lands hereinafter described are hereby set apart and defined as a defined area in which all the powers given to the council by section 411 and paragraphs 16 to 34 of section 400 of *The Consolidated Municipal Act, 1922*, may be exercised, that is to say:—

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Township of Scarborough, in the County of York, described as follows:—Commencing at a point in the westerly limit of the township where it is intersected by the northerly shore of Lake Ontario; thence north-easterly along said northerly shore to its intersection by the dividing line between lots twenty-five and twenty-six in Concession "B" of the Township of Scarborough; thence northerly along said dividing line between lots twenty-five and twenty-six in Concession "B" to a point in said boundary where it would be intersected by a line drawn one hundred and fifty feet north of and parallel to the Kingston Road; thence westerly on a course one hundred and fifty feet north of and parallel to the Kingston Road to a point distant one hundred and fifty feet from the allowance for road between lots twenty-six and twenty-seven, known as Midland Avenue in Concession "B," measured at right angles from the easterly limit of said road; thence northerly parallel to the said easterly limit of Midland Avenue and one hundred and fifty feet easterly therefrom to a point one hundred and fifty feet north of the northerly limit of Elm Avenue according to registered Plan 1093 if produced in a straight line; thence westerly along a line parallel to and one hundred and fifty feet north of such production of Elm Avenue and the northerly limit of Elm Avenue to a point one hundred and fifty

feet west of the westerly limit of Linden Avenue according to said Plan 1093; thence southerly along a line parallel to and one hundred and fifty feet west of the westerly limit of Linden Avenue aforesaid to the point of intersection of said line with a line parallel to and one hundred and fifty feet measured at right angles northerly from the northerly limit of Danforth Avenue; thence south-westerly along a line parallel to and one hundred and fifty feet measured northerly at right angles from the northerly limit of Danforth Avenue to the intersection of said line with a line drawn parallel to and one hundred and fifty feet north of the northerly limit of the Concession Road between Concessions "B" and "C," known as St. Clair Avenue; thence westerly in a straight line parallel to and one hundred and fifty feet north of the northerly limit of said allowance for road between Concessions "B" and "C," known as St. Clair Avenue, to the westerly limit of the Township of Scarborough; thence southerly along said westerly limit of the Township of Scarborough to the place of beginning, the lands herein described or intended so to be being those portions of the Township heretofore set apart and known as Water Works Areas Numbers 1 and 2.

(2) For the purpose aforesaid the Reeve and Treasurer are hereby authorized and required to borrow the sum of twenty-five thousand dollars upon the credit of the Corporation of the Township of Scarborough, and to issue debentures of the Township of Scarborough for that sum, payable in twenty years from the date of their issue, such debentures to bear interest at the rate of five and one-half per cent. per annum, payable yearly, and to be payable in equal annual instalments of principal and interest at the Canadian Bank of Commerce in the City of Toronto in each year as they respectively become due, commencing the fifteenth day of December, one thousand nine hundred and twenty-three. The debentures shall have coupons attached for payment of interest at the said rate of five and one-half per cent. per annum.

(3) And for the purpose of securing payment of said debentures amounting to twenty-five thousand dollars and interest as they respectively fall due, an annual special rate in each of the years one thousand nine hundred and twenty-three to one thousand nine hundred and forty-two, both years inclusive, is hereby imposed on all the taxable property in the said defined area hereinbefore described, which special rate shall be sufficient to produce in each year during the currency of the debentures the sum of \$2,092.00.

(4) Such annual special rate hereinbefore imposed shall be entered upon the Collector's Roll and collected in the same manner as, and over and above, all other rates and taxes in each and every year during the currency of said debentures.

(5) The respective amounts of the debentures to be issued pursuant to this by-law payable in each year as aforesaid shall be as follows:—

<i>Year</i>	<i>Interest</i>	<i>Principal</i>	<i>Total</i>
1923	\$1,375 00	\$717 00	\$2,092 00
1924	1,335 60	756 40	2,092 00
1925	1,293 97	798 03	2,092 00
1926	1,250 08	841 92	2,092 00
1927	1,203 78	888 22	2,092 00
1928	1,154 93	937 07	2,092 00
1929	1,103 40	988 60	2,092 00
1930	1,049 02	1,042 98	2,092 00
1931	991 65	1,100 35	2,092 00
1932	931 14	1,160 86	2,092 00
1933	867 28	1,224 72	2,092 00
1934	799 92	1,292 08	2,092 00
1935	728 87	1,363 13	2,092 00
1936	653 90	1,438 10	2,092 00
1937	574 80	1,517 20	2,092 00
1938	491 36	1,600 64	2,092 00
1939	403 32	1,688 68	2,092 00
1940	310 44	1,781 56	2,092 00
1941	212 46	1,879 54	2,092 00
1942	109 08	1,982 92	2,092 00

\$25,000 00



This by-law shall take effect and come into force on the day of its final passing, having been assented to by the electors of the defined area aforesaid.

Read a first and second time in open Council on the fourth day of December, A.D. 1922.

Read a third time and finally passed in open Council on the twenty-second day of January, A.D. 1923.

(Signed) R. McCOWAN,  
*Reeve.*

[SEAL]

(Signed) W. D. ANNIS,  
*Clerk.*  
Township of Scarborough.

#### SCHEDULE "B".

##### BY-LAW NUMBER 1179 OF THE TOWNSHIP OF SCARBOROUGH

being a by-law to authorize the issue of debentures to the amount of Forty Thousand Dollars for the purpose of procuring funds to pay for the construction of certain bridges in the Township of Scarborough.

Whereas the Council of the Township of Scarborough has constructed reinforced concrete bridges at the places and at the cost respectively set out below, that is to say:—

<i>Location</i>	<i>Cost</i>
On the allowance for road between Concessions "B" and "C" (St. Clair Avenue) at Township Lot 31.....	\$5,691 53
On the allowance for road between Concessions "B" and "C" (St. Clair Avenue) at Township Lot 33.....	4,839 73
On the side road between Township Lots 32 and 33 (Warden Avenue) in Concession "C".....	5,532 23
On the side road between Township Lots 34 and 35 (Pharmacy Avenue) in Concession "B".....	22,506 64
On the allowance for road between Concessions "D" and 1 at Township Lot 27 .....	1,206 52
On the allowance for road between Concessions 3 and 4 at Township Lot 31. ....	965 04
being a total cost for such bridges of .....	<u>\$40,741 69</u>

And whereas the engineer in charge of the works has estimated the lifetime thereof to be not less than twenty-five years.

And whereas it is inexpedient to levy the whole cost of such bridges in one year, and is advisable to issue debentures of the township for the sum of Forty Thousand Dollars, the payment of which, with interest at five and one-half per cent. per annum, is to be spread over a period of twenty years.

And whereas the debt to be created by this by-law is to be repaid in twenty years from the date of the issue of the debentures, and the amount required to be levied and collected annually for payment of such debentures and interest is the sum of \$3,347.17.

And whereas it is expedient to borrow the sum of Forty Thousand Dollars upon the credit of the township, and to issue debentures of the township therefor.

And whereas the debenture debt of the corporation at the present time is the sum of \$1,027,217.54, of which neither principal nor interest is in arrear.

And whereas the whole rateable property of the municipality according to the last revised assessment roll, is the sum of \$5,537,227.00.

Now therefore be it and it is hereby enacted:

(1) For the purpose of procuring funds to pay the cost of construction of the bridges aforesaid, the reeve and treasurer are hereby authorized and required to borrow the sum of Forty Thousand Dollars upon the credit of the Corporation of the Township of Scarborough, and to issue debentures of the Township of Scarborough for that sum, payable in twenty years from the date of their issue, such debentures to bear interest at the rate of five and one-half per cent. per annum, payable yearly, and to be payable in equal annual instalments of principal and interest at the Canadian Bank of Commerce, in the City of Toronto, in each year as they respectively become due, commencing the fifteenth day of December, one thousand nine hundred and twenty-three. The debentures shall have coupons attached for the payment of interest at the said rate of five and one-half per cent. per annum.

(2) And for the purpose of securing payment of said debentures amounting to Forty Thousand Dollars and interest as they respectively fall due an annual special rate in each of the years one thousand nine hundred and twenty-three to one thousand nine hundred and forty-two, both years inclusive, is hereby imposed on all the taxable property in the Township of Scarborough, which special rate shall be sufficient to produce in each year during the currency of the debentures the sum of \$3,347.17.

(3) Such annual special rate hereinbefore imposed shall be entered upon the collector's roll and collected in the same manner as, and over and above, all other rates and taxes in each and every year during the currency of said debentures.

(4) The respective amounts of the debentures to be issued pursuant to this by-law payable in each year as aforesaid shall be as follows:—

<i>Year</i>	<i>Interest</i>	<i>Principal</i>	<i>Total</i>
1923	\$2,200 00	\$1,147 17	\$3,347 17
1924	2,136 90	1,210 27	3,347 17
1925	2,070 34	1,276 83	3,347 17
1926	2,000 11	1,347 06	3,347 17
1927	1,926 02	1,421 15	3,347 17
1928	1,847 86	1,499 31	3,347 17
1929	1,765 40	1,581 77	3,347 17
1930	1,678 40	1,668 77	3,347 17
1931	1,586 62	1,760 55	3,347 17
1932	1,489 79	1,857 38	3,347 17
1933	1,387 62	1,959 55	3,347 17
1934	1,279 86	2,067 31	3,347 17
1935	1,166 15	2,181 02	3,347 17
1936	1,046 20	2,300 97	3,347 17
1937	919 65	2,427 52	3,347 17
1938	786 13	2,561 04	3,347 17
1939	645 28	2,701 89	3,347 17
1940	496 67	2,850 50	3,347 17
1941	339 90	3,007 27	3,347 17
1942	174 50	3,172 67	3,347 17

\$40,000 00

This by-law shall take effect and come into force on the day of its final passing, having been assented to by the electors.

Read a first and second time in open Council on the fourth day of December, A.D. 1922.

Read a third time and finally passed in open Council on the twenty-second day of January, A.D. 1923.

(Signed) R. McCOWAN,  
*Reeve.*

[SEAL]  
Township of Scarborough. (Signed) W. D. ANNIS,  
*Clerk.*





No. 35.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Township of  
Scarborough.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923

(*Private Bill.*)

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Township of Scarborough.

**W**HEREAS the Municipal Corporation of the Township <sup>Preamble</sup> of Scarborough has by petition shown that certain powers with reference to the construction of water works in defined areas, the removal of ashes and the licencing and registration of dogs were conferred upon it and the Township of Etobicoke by an Act passed in the eighth year of the reign of His Majesty King George the Fifth, chapter 81; and whereas it is desirable that the said Act should be repealed and the said powers, with the additions hereinafter set forth, should be conferred upon the Township of Scarborough separately; and has shown that owing to the great increase of population in the township it is necessary to the good government of the municipality that it should be granted certain of the powers given by *The Consolidated Municipal Act, 1922*, to urban municipalities and that it is necessary to obtain authority to construct a system or systems of sewers and sewage disposal works in and at the cost of any defined area or areas of the municipality, and to obtain authority to acquire lands as sites for, and to erect fire halls, and to purchase fire appliances for the benefit and at the cost of such defined area or areas; and has asked for special legislation validating its tax sales and the by-laws hereinafter set forth; and whereas it is expedient to grant the prayer of said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Township of Scarborough* <sup>Short title</sup> *Act, 1923*.

**2.** The Council of the Corporation of the Township of Scarborough may pass by-laws: <sup>Authority to pass by-laws</sup>

- (1) To acquire, construct, extend, maintain and operate <sup>Construction water-works in defined areas.</sup> a system or systems of water works, including the laying of mains and other appliances to connect with

any existing system of water works, whether owned by the corporation, or by any other corporation or person, for the benefit of any defined sections or areas of the municipality which may from time to time be described in a petition to, or designated by, the council.

Levy of  
cost.

- (2) To provide in any such by-law that the whole cost of acquiring, constructing, extending or repairing any such system of water works, or any part thereof, shall be charged and levied upon and from all the real property in any such defined sections or areas, and that such cost shall include, in addition to the ordinary cost of construction, the cost of all connections, mains, hydrants, stop cocks, fittings and appliances of every kind whatsoever, and including those parts of the work situate at street intersections in connection with the system, as well as any claim for damages arising out of, or incidental to, the acquiring, construction or maintenance of said works.

Branch  
water mains,  
service pipes.

- (3) To provide for the construction and installation of branch water mains, service pipes, stop cocks and appliances, and all other necessary works, apparatus and apparatus, upon any street within any such defined sections or areas, the whole cost of such branch water mains, with the exception of those parts of such works as are situate at street intersections and are chargeable against the defined area or areas, to be specially assessed against the lands abutting such branch mains, and no portion of the cost against the municipality at large.

Cost at  
street inter-  
sections.

- (4) The construction of the works designated in subsection 3 of this section may be undertaken as local improvements, but in such case the portion of the works situate at street intersections shall be charged against the real property in the defined area or combined areas, as the case may be, in which the work is situate, and not against the municipality at large.

Cost trunk  
mains in  
certain  
cases.

- (5) Wherever a trunk main or water pipe is constructed so that it may be used for the supplying of water to abutting property without the construction of any branch main for such purpose, such portion of the cost of such trunk main as the council of the corporation may designate shall be charged against the abutting property in the same manner as the case of a branch main laid as a local improvement.



- (6) When in order to effect the reduction of assessment, provided for in section 24 of *The Local Improvement Act*, the said corporation has reduced the assessment on any lands or portions of lands which would otherwise be specially charged for a portion of the cost of construction mentioned in this section, and has charged the amount of the said reduction to the water works area in which the lands are situate, and after the passing of this Act, buildings in which a water service is used shall have been erected on the lands the assessment of which is so reduced, the cost of the construction mentioned in this section may be assessed against and levied upon the lands so built on for a period of years equal to the term of the debentures issued to pay for the cost of such construction, and the amount paid on account thereof shall be placed to the credit of the water works and maintenance account of the said corporation in respect to said area, provided that the rate to be charged against the said lands so assessed against and levied upon shall be the same as is charged against the lands adjoining thereto.

**3.** The council of the corporation may pass by-laws to borrow on the credit of the corporation at large from time to time the money necessary for carrying out the works designated in section 2 and may issue debentures to the requisite amount, payable in thirty years from their issue in respect to the works designated in subsections 1 and 2 of section 2, and in twenty years in respect to the works designated in subsection 3 of section 2, and for the purpose of paying the debentures issued in respect to the works designated in said subsections 1 and 2 shall levy such sums as may be requisite by annual special rates on the dollar, according to the revised assessment roll from year to year, upon all the real property liable therefor contained in any such sections or areas, and for the purpose of paying the debentures issued in respect to the works designated in said subsection 3 shall levy such sums as may be requisite to meet the portion of the cost of the works situate at street intersections by annual special rates on the dollar, according to the revised assessment roll from year to year, upon all the real property liable therefor contained in the area or areas in which such works may be situate, and to meet the remainder of the cost of such works shall levy such sums as may be requisite upon the lands fronting and abutting directly on the work, according to the extent of their respective frontages thereon, by an equal annual special rate per foot of such frontage, in the same manner in all respects as like or similar rates are levied and collected under *The Local Improvement Act*.

Power to  
borrow  
money for  
works  
authorized.

**Special rate.** 4. The council of the corporation may carry on, maintain and operate any such system of water works, and levy and collect the whole cost of and incidental thereto upon and from the real property contained in any such defined sections or areas, by a special rate or rates on the dollar, according to its assessed value, and for the purposes aforesaid the corporation shall have and possess, *mutatis mutandis*, all the powers given to municipal corporations in respect to municipal water works in Parts I and IV of *The Public Utilities Act*, and any amendments thereto which may hereafter be passed.

**Surplus revenue.** 5. The surplus revenues arising from the carrying on, maintenance and operation of any such system, after providing for the expense thereof, in any year, shall form part of the funds for the carrying on, maintenance and operation of the said system for the following year or years, but the council may, nevertheless, in any one year, apportion such part of said surplus revenues as they may consider advisable towards the payment of the debentures or interest thereon issued in respect to the main system of water works falling due in such year, when the special rate to be levied for payment of the debentures and interest falling due in such year shall be reduced accordingly.

**Losses: how charged.** 6. All loss in connection with, or any excess of expense over and above the revenue received in respect to carrying on, maintaining and operating any such water system, and all claims for damages arising in respect or incidental thereto, in any year shall be charged against the real property contained in any such sections or areas, and shall be levied and collected therefrom by a special rate or rates on the dollar, according to its assessed value, in the same manner as other taxes are levied, provided that any surplus revenue which may be on hand from any previous year or years shall be applied to any such loss or damages before any such special rate is levied.

**Application provisions of Rev. Stat. 1914, c. 193.** 7. The provisions of *The Local Improvement Act* shall, *mutatis mutandis*, apply to all works undertaken pursuant to the foregoing sections of this Act in any such defined area or areas which are certified by an engineer employed by the corporation to be branch mains, or trunk mains utilized also as local service or branch mains, as provided by subsection 5 of section 2 of this Act.

**Authority to pass by-laws.** 8. The Council of the Corporation of the Township of Scarborough may from time to time pass by-laws:

**Enlarging defined area.** (1) To enlarge or extend any such defined area by adding thereto such portion or portions of the township as

may be described in a petition to, or designated by the council.

- (2) To construct, extend, maintain and operate one main <sup>Operating one main system</sup> system of water works in any such enlarged or extended area, or in two or more defined areas.
- (3) To provide that the cost of acquiring, constructing, <sup>Levying cost,</sup> extending, maintaining and operating any such system in the whole area or areas described in any by-law passed pursuant to subsections 1 and 2 of this section, including the portions of the cost of branch mains at street intersections payable by any such described defined area, shall be levied upon and from all the real property in such enlarged or extended area, or upon and from all the real property in any such two or more defined areas, as the case may be, and such cost shall include all liabilities previously incurred in respect to such works, but accruing due subsequent to the passing of such by-law.

**9.** It shall not be necessary to submit for the assent of the <sup>Assent of electors: certificate of Board.</sup> electors any by-law passed pursuant to the foregoing provisions of this Act, but no by-law setting apart any defined area, or providing for the construction and operation of the main water works system in such area, and no by-law purporting to be pursuant to section 8 of this Act, shall be finally passed until a certificate shall have been obtained from the Ontario Railway and Municipal Board, and said Board may, on an application for a certificate in respect to a by-law purporting to be passed pursuant to section 8 of this Act, make such adjustment of the proportion of cost to be borne by the respective areas, or parts thereof, as may to it appear equitable. Every by-law when the same has been approved by the Ontario Railway and Municipal Board, and the debentures which may be issued in substantial conformity with its provisions, shall be valid and binding upon the corporation and upon the lands liable for the rate imposed by or under the authority of the by-law, and the validity of the by-law and every debenture issued pursuant to the same shall not thereafter be open to question in any court.

**10.** The putting down of water mains, service pipes, hydrants, stop cocks or other appliances by the said corporation <sup>Assumption of highways by municipality</sup> on any streets laid out on a registered plan, or on land used as a highway, and the assessing of the costs of such water mains, service pipes, hydrants, stop cocks or other appliances against the lands fronting and abutting thereon, and the collection

of the rates therefor, shall not be deemed an assumption of the said streets or lands as highways of the municipality.

Supplying  
water on t-  
side defined  
area.

**11.** The Corporation may supply water for the use of persons, institutions or corporations not within any such defined area, and may supply water for the use of any adjoining municipal corporation, on such terms as to payment for the same as may be agreed upon between the corporation and such persons, institutions, corporation or municipalities, as the case may be.

**12.** It is declared that the corporation shall be held to have possessed all the powers conferred upon it by sections 2 to 11 of this Act in respect to all by-laws passed and works authorized or constructed, or in course of construction, and purporting to be passed or undertaken pursuant to the said Act.

Authority  
to pass  
by-laws.

**13.—(1)** The Council of the Corporation of the Township of Scarborough may pass by-laws:

Sewers.

(a) To construct, operate and maintain sewers, a sewerage system, sewage disposal works, and pumping stations, outfall sewers and storm overflow sewers for the benefit of any defined area or areas of the township in which a water works system is in operation or, is in course of construction.

Levy of  
cost.

(b) To provide in any such by-law that the whole cost of constructing, operating and maintaining any such sewerage system, sewage disposal works, sewers, and pumping stations, outfall sewers and storm overflow sewers, other than those mentioned in clause (a) of this subsection, shall be charged and levied upon and from all the real property in any such defined area or areas, and that such cost shall include, in addition to the ordinary cost of construction, the cost of all connections and appliances of every kind whatsoever, and including those parts of the work situate at street intersections in connection with the system, as well as any claim for damages arising out of or incidental to the construction and maintenance of said works.

Construc-  
tion as local  
improve-  
ments under  
Pev. Stat.  
1914, c. 193.

(c) To provide for the construction in any such area or areas as local improvements of all such sewers, sewer connections and sewerage works of any kind whatsoever which a muni-

city has power to construct under the provisions of *The Local Improvement Act*, and the corporation shall have, in respect to the construction of such works in any such defined area or areas, all the powers given to municipalities by *The Local Improvement Act*, and may exercise such powers in such defined area or areas, the same in all respects, *mutatis mutandis*, as if such defined area or areas comprised the whole municipality, and wherever in *The Local Improvement Act* it is provided that any portion of the cost of the construction of a sewer or sewerage works may be charged against the corporation, then in the case of like works in a defined area or areas such portion of the works shall instead be charged and levied upon and from all the real property in the defined area or areas in which the work is situated.

(2) The said corporation may pass by-laws to borrow on the credit of the corporation at large from time to time the moneys necessary for carrying out the works designated in subsection 1 of this section, and may issue debentures to the requisite amount, payable in thirty years, at furthest, from their issue, but in any case within the lifetime of the work as estimated by the engineer in charge of the work.

(3) It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to this section, but no by-law providing for the construction of any main sewerage system or sewage disposal works in or for the benefit of any defined area, or for the extension of any such system or works to include any addition to such defined area, or to two or more such areas, shall be finally passed until a certificate shall have been obtained from the Ontario Railway and Municipal Board approving of such by-law, and every by-law when the same has been approved by the Ontario Railway and Municipal Board, and the debentures which may be issued in substantial conformity with its provisions, shall be valid and binding upon the corporation and upon the lands liable for the rate imposed by or under the authority of the by-law, and the validity of the by-law and every debenture issued pursuant to the same shall not thereafter be open to question in any court, and said Board may, on application being made for approval of any such by-law, make such adjustment of the proportion of the cost of any such system or works as between two or more defined areas, or parts thereof, as may to it appear equitable.

Assent of  
electors  
approval by  
Board.

Cost not to be borne by municipality at large.

(4) Notwithstanding anything contained in *The Local Improvement Act*, no portion of the cost of constructing, operating, maintaining or repairing any of the works authorized by subsection 1 of this section shall be payable by the municipality at large, and in every case where such costs are not chargeable specially to the property immediately abutting the work it shall be borne by the defined area or areas in which it is situated.

Agreements re sewage with adjoining municipalities.

(5) The council may enter into agreements with any adjoining municipality for the admission of sewage from the township into the sewers, outlets and works of such adjoining municipality, upon such terms as may be mutually agreed upon, and may make annual or more frequent payments for the service thereby obtained, and all such payments, together with all other costs incurred in respect to such service, shall be charged, levied and collected upon and from all the real property in the defined area or areas served, the same in all respects as if the same were part of the cost of maintenance of the sewerage system within the area.

Application certain provisions Rev. Stat. 1914, c. 193.

**14.** Section 40, subsections 1 and 2 and sections 43, 53, 54 and 55 of *The Local Improvement Act* shall apply to all by-laws passed as local improvement by-laws pursuant to the powers given by this Act.

Application provisions 1922, c. 72, s. 296.

**15.** The provisions of section 296 of *The Consolidated Municipal Act, 1922*, shall apply to any by-law passed pursuant to the foregoing sections hereof which has not received the approval of the Ontario Railway and Municipal Board.

Removal ashes, etc.

**16.** The Council of the Corporation of the Township of Scarborough may from time to time pass by-laws providing for the collection, removal and disposal by the corporation of ashes, garbage and other refuse throughout the municipality, or any defined areas thereof, as set apart by the council, at the expense of the owners and occupants of the land contained in such defined areas, and for imposing upon such land, according to its assessed value, a special rate on the dollar to defray the expense of such collection, removal and disposal.

Licensing dogs.

**17.** The Council of the Corporation of the Township of Scarborough may from time to time pass by-laws for licensing, tagging and otherwise controlling dogs, and imposing such fees therefor as the council may see fit on the owners, possessors or harbourers of them, with the right to impose a larger tax in case of bitches, or for each additional dog or bitch where more than one is owned, possessed or harboured by any one person, or in any one household, but the tax imposed under any such

by-law shall not be less than is provided in *The Dog Tax and Sheep Protection Act*, or any amendments thereto which may hereafter be passed, and while any such by-law is in force sections 3 to 7 of *The Dog Tax and Sheep Protection Act* shall not apply to the municipality passing the same, and it shall not be necessary to enter any particulars as to dog taxes in the collector's roll, but the moneys collected shall be applied in all respects the same as if they had been collected and paid to the municipality under said sections 3 to 7. Rev. Stat. 1914, c. 246

**18.** The Council of the Corporation of the Township of Scarborough may pass by-laws for the purchase of sites for, and the erection, care, maintenance and repair of fire halls or stations, including a community hall, in any such fire hall building within any defined area or areas of the township in which a water works system is in operation or in course of construction, and for the purchase of fire engines, fire apparatus and appliances, the whole cost thereof to be levied and collected upon and from all the rateable property within such defined area or areas, and may issue debentures payable in thirty years from their issue to defray the cost of any such fire hall or station, including a community hall in connection therewith, and shall levy such sums as may be requisite for the purpose of paying the debentures and interest by annual special rates on the dollar, according to the last revised assessment roll from year to year, upon all the rateable property contained in any such area or areas, provided that before it is finally passed every such debenture by-law shall have received the assent of the electors entitled to vote on money by-laws in such area or areas, in the manner, and subject to the conditions prescribed in Part X of *The Consolidated Municipal Act, 1922*. Erection firehalls in defined areas. 1922, c. 72

**19.** The Council of the Corporation of the Township of Scarborough may pass by-laws for the following purposes: Authority to pass by-laws.

- (1) For inspecting public bathing houses and boat houses or premises wholly or partly used for boat house purposes, and for prohibiting their use for illegal or immoral purposes. Bathing houses.
- (2) For regulating the size and strength of brick, stone, cement and concrete walls, and of the beams, joists, rafters, roofs and their supports of all buildings to be erected, altered or repaired, and for requiring the production of the plans of all buildings, and for charging fees for the inspection and approval of such plans, and fixing the amount of the fees. Strength of buildings.
- (3) For regulating the removing or wrecking of buildings, and the spraying thereof during such work, so as to prevent dust or rubbish arising therefrom. Wrecking buildings.

- |                        |  |
|------------------------|--|
| Use of building        | (4) For regulating and governing the use of any building for purposes for which it may be structurally unsuited or which from the size or strength of its walls, supports or floors may render the same dangerous, and for requiring the owner or occupant to obtain a permit from the architect or other municipal officer named in the by-law before putting any building to such use.   |
| Cellar levels.         | (5) For requiring owners and occupants to furnish the council with the levels, with reference to a line fixed by by-law, of their cellars heretofore or hereafter dug or constructed, and for taking such other means as may be deemed necessary for ascertaining such levels.   |
| Filing of plans        | (6) For requiring to be deposited with an officer named in the by-law, before the erection of a building is commenced, a ground or block plan of the building with the levels of the cellars and basements, with reference to a line fixed by by-law.  |
| Children on streets.   | (7) For prohibiting children from riding on the platforms of cars, or riding behind or getting on wagons, sleighs or other vehicles while in motion, and for preventing accidents arising from such causes.  |
| Fire Dept. vehicles.   | (8) For providing that the reels, engines and vehicles of the Fire Department shall have the right-of-way on the streets and highways while proceeding to a fire or answering a fire alarm call.   |
| Local fire depts.      | (9) For appointing fire wardens, fire engineers and firemen, and for promoting, establishing and regulating fire, hook-and-ladder, and property-saving companies.  |
| Gratuities to firemen. | (10) For providing medals or rewards for persons who distinguish themselves at fires, and for granting gratuities to the members of the fire brigade who have become incapacitated for service on account of injuries or ill-health caused by accident or exposure at fires, or from old age or inability to perform their duties, and for granting pecuniary aid or other assistance to the widows and children of persons killed by accident while in the discharge of their duties at fires, or who die from injuries received or from illness contracted while in the service of the corporation as firemen. |
| Safety zones.          | (11) For setting aside and designating in a suitable, visible manner, on any highway upon which street cars are  |



operated, any part or parts as a "safety zone" and for prohibiting motor or other vehicles from driving over or upon any such safety zone while any pedestrian is thereon or about to enter thereon.

- (12) For prohibiting or regulating the sale by retail *on certain defined highways or parts of highways* or on vacant lots adjacent to *such highways or parts of highways* of any meat, vegetables, grain, hay, fruit, beverages, smallwares and other articles, and for regulating traffic in and preventing the blocking up of the highways by vehicles or otherwise. Retailers on highways.

- (13) For declaring any highway or part of a highway to be a residential street, and for prescribing the distance from the line of the street in front of it at which no building on a residential street may be erected or placed. Residential streets.

(a) It shall not be necessary that the distance shall be the same on all parts of the same street.

(b) The by-law shall not be passed except by a vote of two-thirds of all the members of the council.



**20.** All sales of land within the township made prior to the thirty-first day of December, one thousand, nine hundred and twenty-one, which purport to have been made by the corporation for arrears of taxes in respect to lands so sold, for which tax deeds have been issued by the said corporation are hereby validated and confirmed, and all deeds of lands so sold executed by the reeve and treasurer of the corporation purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns, are hereby validated and confirmed, and shall have power of vesting the lands so sold or conveyed, or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his, her or their assigns, in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale, or his, her or their assigns, and all charges or encumbrances thereon and dower therein, except taxes, for the non-payment of which the said lands were sold. Tax sales and deeds prior to 31st Dec., 1921, confirmed

**21.** By-law number 1175 of the Township of Scarborough, being a by-law to set apart a defined area of the township, and to authorize the issue of debentures to the amount of twenty-five thousand dollars for the purpose of procuring funds for the purchase of a site and the erection thereon of a By-law No. 1175 Twp. of Scarborough confirmed

fire hall or station, the cost to be charged to such defined area, as set forth in Schedule "A" to this Act, is hereby validated and confirmed and the debentures issued pursuant to said by-law are declared to be valid and binding on the said township.

1918, c. 81,  
repealed.

**22.** The Act passed in the eighth year of the reign of His Majesty King George the Fifth, chaptered 81, entitled, "An Act respecting the Townships of Scarborough and Etobicoke, is, in so far as it applies to the Township of Scarborough, hereby repealed.

 **23.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. 

## SCHEDULE "A."

## BY-LAW NUMBER 1175 OF THE TOWNSHIP OF SCARBOROUGH,

being a by-law to set apart a defined area of the township, and to authorize the issue of debentures to the amount of twenty-five thousand dollars for the purpose of procuring funds for the purchase of a site and the erection thereon of a fire hall or station, the cost to be charged to such defined area.

Whereas owing to the great increase of buildings in the township of Scarborough in the area hereinafter defined, it is expedient to provide for suppressing fires therein, and for such purpose to purchase a site and erect a fire hall or station thereon within such area.

And whereas the council considers the lands hereinafter described to be an area within which it is necessary to provide for suppressing and for preventing the spread of fires.

And whereas estimates have been procured of the cost of purchasing a site and the erection of a fire hall or station, and it is estimated that the cost thereof will be twenty-five thousand dollars, and it is expedient to issue debentures of the township for the purpose of procuring funds for such purpose.

And whereas the debt to be created by this by-law is to be repaid in twenty years from the date of the issue of the debentures, and the amount required to be levied and collected annually from such area for payment of such debentures and interest is the sum of \$2,092.00.

And whereas it is expedient to borrow the sum of twenty-five thousand dollars upon the credit of the township and to issue debentures of the township therefor.

And whereas the debenture debt of the corporation at the present time is the sum of \$1,027,217.54, of which neither principal nor interest is in arrear.

And whereas the whole rateable property of the municipality, according to the last revised assessment roll, is the sum of \$5,537,227.00.

Now therefore be it and it is hereby enacted:

(1) The lands hereinafter described are hereby set apart and defined as a defined area in which all the powers given to the council by section 411 and paragraphs 16 to 34 of section 400 of *The Consolidated Municipal Act, 1922*, may be exercised, that is to say:—

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Township of Scarborough, in the County of York, described as follows:—Commencing at a point in the westerly limit of the township where it is intersected by the northerly shore of Lake Ontario; thence north-easterly along said northerly shore to its intersection by the dividing line between lots twenty-five and twenty-six in Concession "B" of the Township of Scarborough; thence northerly along said dividing line between lots twenty-five and twenty-six in Concession "B" to a point in said boundary where it would be intersected by a line drawn one hundred and fifty feet north of and parallel to the Kingston Road; thence westerly on a course one hundred and fifty feet north of and parallel to the Kingston Road to a point distant one hundred and fifty feet from the allowance for road between lots twenty-six and twenty-seven, known as Midland Avenue in Concession "B," measured at right angles from the easterly limit of said road; thence northerly parallel to the said easterly limit of Midland Avenue and one hundred and fifty feet easterly therefrom to a point one hundred and fifty feet north of the northerly limit of Elm Avenue according to registered Plan 1093 if produced in a straight line; thence westerly along a line parallel to and one hundred and fifty feet north of such production of Elm Avenue and the northerly limit of Elm Avenue to a point one hundred and fifty

feet west of the westerly limit of Linden Avenue according to said Plan 1093; thence southerly along a line parallel to and one hundred and fifty feet west of the westerly limit of Linden Avenue aforesaid to the point of intersection of said line with a line parallel to and one hundred and fifty feet measured at right angles northerly from the northerly limit of Danforth Avenue; thence south-westerly along a line parallel to and one hundred and fifty feet measured northerly at right angles from the northerly limit of Danforth Avenue to the intersection of said line with a line drawn parallel to and one hundred and fifty feet north of the northerly limit of the Concession Road between Concessions "B" and "C," known as St. Clair Avenue; thence westerly in a straight line parallel to and one hundred and fifty feet north of the northerly limit of said allowance for road between Concessions "B" and "C," known as St. Clair Avenue, to the westerly limit of the Township of Scarborough; thence southerly along said westerly limit of the Township of Scarborough to the place of beginning, the lands herein described or intended so to be being those portions of the Township heretofore set apart and known as Water Works Areas Numbers 1 and 2.

(2) For the purpose aforesaid the Reeve and Treasurer are hereby authorized and required to borrow the sum of twenty-five thousand dollars upon the credit of the Corporation of the Township of Scarborough, and to issue debentures of the Township of Scarborough for that sum, payable in twenty years from the date of their issue, such debentures to bear interest at the rate of five and one-half per cent. per annum, payable yearly, and to be payable in equal annual instalments of principal and interest at the Canadian Bank of Commerce in the City of Toronto in each year as they respectively become due, commencing the fifteenth day of December, one thousand nine hundred and twenty-three. The debentures shall have coupons attached for payment of interest at the said rate of five and one-half per cent. per annum.

(3) And for the purpose of securing payment of said debentures amounting to twenty-five thousand dollars and interest as they respectively fall due, an annual special rate in each of the years one thousand nine hundred and twenty-three to one thousand nine hundred and forty-two, both years inclusive, is hereby imposed on all the taxable property in the said defined area hereinbefore described, which special rate shall be sufficient to produce in each year during the currency of the debentures the sum of \$2,092.00.

(4) Such annual special rate hereinbefore imposed shall be entered upon the Collector's Roll and collected in the same manner as, and over and above, all other rates and taxes in each and every year during the currency of said debentures.

(5) The respective amounts of the debentures to be issued pursuant to this by-law payable in each year as aforesaid shall be as follows:—

<i>Year</i>	<i>Interest</i>	<i>Principal</i>	<i>Total</i>
1923	\$1,375 00	\$717 00	\$2,092 00
1924	1,335 60	756 40	2,092 00
1925	1,293 97	798 03	2,092 00
1926	1,250 08	841 92	2,092 00
1927	1,203 78	888 22	2,092 00
1928	1,154 93	937 07	2,092 00
1929	1,103 40	988 60	2,092 00
1930	1,049 02	1,042 98	2,092 00
1931	991 65	1,100 35	2,092 00
1932	931 14	1,160 86	2,092 00
1933	867 28	1,224 72	2,092 00
1934	799 92	1,292 08	2,092 00
1935	728 87	1,363 13	2,092 00
1936	653 90	1,438 10	2,092 00
1937	574 80	1,517 20	2,092 00
1938	491 36	1,600 64	2,092 00
1939	403 32	1,688 68	2,092 00
1940	310 44	1,781 56	2,092 00
1941	212 46	1,879 54	2,092 00
1942	109 08	1,982 92	2,092 00

\$25,000 00

This by-law shall take effect and come into force on the day of its final passing, having been assented to by the electors of the defined area aforesaid.

Read a first and second time in open Council on the fourth day of December, A.D. 1922.

Read a third time and finally passed in open Council on the twenty-second day of January, A.D. 1923.

(Signed) R. McCOWAN,  
*Reeve.*

[SEAL]

(Signed) W. D. ANNIS,  
*Clerk.*

Township of Scarborough.

No. 35.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Township of  
Scarborough.

1st Reading,	16th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923

*(Reprinted as amended by the Private  
Bills Committee.*

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to incorporate a part of the Township of York as the Town of Humbervale.

**W**HEREAS Robert Candlish Smith, Alexander Baillie Preamble.  
Hutchison, Robert Gray, William McQueen, Edmond Henry Thompson, Frank Fenwick, Joseph Herbert Dicken and other persons, inhabitants and ratepayers of that part of the Township of York hereinafter more particularly described, and which may be known as the Humber District of the said Township, have by petition set forth that that part of the said Township of York hereinafter more particularly described is a geographical entity distinct from the remainder of the Township of York, and separated therefrom by the intervening areas of the existing City of Toronto and the proposed City of York and Town of Mount Dennis; that the said Humber District requires entirely separate systems of water supply, sewage disposal and other public services distinct from those of the remainder of the Township of York, and that the said Humber District on account of its situation and peculiar local conditions requires a different municipal administration from that required for the said Township, and that the interests of the inhabitants of the said Humber District can best be served by a municipal council composed of persons familiar with its requirements; and whereas in view of such conditions the said petitioners have prayed that an Act be passed separating the said districts hereinafter more particularly described and incorporating it as the Town of Humbervale; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.**—This Act may be cited as *The Town of Humbervale* Short title.  
*Act, 1923.*

**2.**—(1) It shall be the duty of the Corporation of the Township of York, within five weeks after the day on which this section comes into force, to submit to the municipal Question of separation of certain described area—  
submission to electors.

electors in that part of the Township of York described as follows: All and singular that part of the Township of York comprised within the following described boundaries: commencing at the intersection of the boundary between Township of York and the Township of Etobicoke, with the northerly boundary of the southerly part of the City of Toronto; thence easterly along the said northerly boundary to the westerly boundary of the said City of Toronto, being the westerly boundary of High Park; thence northerly along the said westerly boundary to the southerly boundary of that part of the said city of Toronto lying south of Bloor Street and annexed to the said city on 2nd January, 1920; thence westerly along the last mentioned southerly boundary to the westerly boundary of that part of the said City of Toronto lying west from Jane Street; thence northerly along the last mentioned westerly boundary to the intersection therewith of the westerly production of the northerly boundary of Annette Street; thence easterly along the said production to the westerly boundary of Jane Street; thence northerly along the said limit of Jane Street being along the westerly limit of the part of the said City of Toronto annexed on 4th January, 1922, to the northerly boundary of that part of the said city annexed on the date hereinbefore last mentioned; thence easterly along the last mentioned northerly boundary to the westerly boundary of the lands west of Runnymede Road (formerly called Elizabeth Street) annexed 4th January, 1922; thence northerly along the last mentioned westerly boundary to the northerly boundary of the said part annexed at the date hereinbefore last mentioned; thence easterly along the last mentioned northerly boundary to the westerly boundary of Runnymede Road; thence northerly along the said boundary of Runnymede Road to that part of the northerly boundary of the said City of Toronto passing through or near the centre line of Cobourg Avenue; thence easterly along the last mentioned boundary, being about three hundred and twenty feet (320') north from the northerly limit of St. Clair Avenue, to that part of the westerly boundary of the said City of Toronto passing along or near the division line between the easterly and westerly halves of lot number 36, in Concession III from the Bay, of the Township of York; thence northerly along the last mentioned boundary, and continuing northerly along the boundary between the easterly and westerly halves of lots numbers 36 and 37 in said Concession III from the Bay, being along the westerly boundaries of lands included in registered plans 1067, 937, 1249 and 1956, to the boundary between lots numbers 37 and 38 in the said Concession III from the Bay; thence westerly along the last mentioned boundary to the easterly boundary of the original allowance for road between said lot number 38 and the Humber Range of the said Township of York; thence



northerly along the said easterly boundary of the allowance for road to the production easterly of the boundary between lots numbers 8 and 9 in the said Humber Range; thence westerly to and along the said boundary between lots numbers 8 and 9, to the aforesaid boundary between the Townships of York and Etobicoke; thence in a general southerly direction following the last mentioned boundary, in the River Humber, with the stream, to the point of commencement.

the following question:

“Are you in favour of the incorporation of the Humber District of the Township of York, as set out in the Act of the Legislature of Ontario passed in 1923, as the Town of Humbervale?”

(2) The polling subdivisions shall be the same as nearly as may be as at the last municipal election, and that part of any polling subdivision which lies within the boundary of the lands hereinbefore described shall for the purpose of the vote be deemed a polling subdivision, and when a polling subdivision is so divided, the Clerk of the Township shall strike off the lists the names of all voters not qualified to vote in that part of the polling subdivision lying within such boundary. The Clerk of the Township of York shall be the Returning Officer for the taking of the said vote and the voters' list for the year 1922 as finally revised shall be the list used in the preparation of the voters' list for the taking of the said vote.

(3) The provisions of *The Consolidated Municipal Act, 1922*, shall apply to the taking of the said vote. Application of, 1922, c. 72.

(4) This section shall come into force on the day upon which this Act receives the Royal Assent. Commencement of section.

**3.** If a majority of those voting, vote in the affirmative in answer to the question submitted according to the declaration of the result by the Clerk of the Township of York, the following sections of this Act shall come into force on the day following such declaration. The declaration shall be made not later than noon of the Tuesday following the taking of the said vote. Declaration of result of vote upon question.

**4.** The inhabitants of that part of the Township of York hereinbefore more particularly described, are hereby constituted a corporation or body politic, separate and apart from the Township of York under the name of the Corporation of the Town of Humbervale, and as such shall enjoy all the rights and privileges, and be subject to all the duties and Incorporation of Town of Humbervale.

liabilities appertaining to incorporated towns, and the said part of the Township of York hereinbefore more particularly described is hereby detached from the Township of York and shall form a separate and independent town.

Adjust-  
ment of  
assets and  
liabilities.

**5.**—(1) The provisions of *The Consolidated Municipal Act, 1922*, as to matters consequent upon the erection of a district into a village or town, including the adjusting of assets, debts, arrears of taxes, contracts and liabilities shall apply, except

(a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board; and

(b) The taxes for the year 1923 on the rateable property in the town of Humbervale shall be levied by and belong to the Town of Humbervale and the said Town of Humbervale shall pay over to the Township of York such portions of taxes collected in 1923 as may be fixed and determined by the Ontario Railway and Municipal Board. The expenditures and liabilities for the year 1923 shall be considered by the Board in determining the amount payable to the Township of York.

Arbitration.

(2) The said Board for the purposes of this Act shall be deemed to be the Board of Arbitration appointed under *The Consolidated Municipal Act, 1922*, and the award of Board shall be final and conclusive and without appeal.

William A.  
Clarke  
appointed  
returning  
officer.

**6.**—(1) William A. Clarke, clerk of the Township of York (or the acting clerk of such township for the time being), is hereby appointed Returning Officer at the first election in the Town of Humbervale.

Nomination  
meeting:  
Notice of  
date of  
polling.

(2) A meeting of electors for the nomination of candidates for Mayor, Reeve, first Deputy Reeve and Councillors for the Town of Humbervale shall be held at twelve o'clock noon on the second Saturday following the declaration of the result of the vote on the question at the public school on St. John's Road, of section number Twenty-nine, of which nomination the returning officer shall give six days' notice by posting the same up in at least six conspicuous places in the said Town of Humbervale, and the polling in case a poll is required, shall be held on the next Saturday after such nominations.

Procedure  
at  
nomination  
meeting.

(3) The returning officer shall preside at the nomination meeting, and in case of his absence the electors present shall

choose from among themselves a chairman to preside at the said nomination, and such chairman shall have all the powers of a returning officer and the returning officer or chairman shall at the close of the nomination announce the polling places for the said election.

(4) The polling subdivisions shall be the same as at the vote on the question. Polling sub-divisions.

(5) Except as herein otherwise provided, the provisions of *The Consolidated Municipal Act, 1922*, shall apply as if the election were being held under that Act. Application provisions 1922, c. 72.

7. The said returning officer, by his warrant, shall appoint a deputy returning officer for each of the polling subdivisions, and such returning officer and each deputy returning officer shall, before the holding of the said election, take the oath or affirmation required by law, and shall be subject to all the provisions of *The Consolidated Municipal Act, 1922*, applicable to returning officers at elections in towns in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to the elections in towns. Election of council appointment of deputy returning officers.

8. The first meeting of the Council of the Town of Humbervale shall be held at the public schoolhouse on St. John's Road of section Twenty-nine at twelve o'clock noon on the Saturday next following the polling and if no poll is required, then on the Saturday next following the day of nomination. First meeting of council.

9. At the first election, the Council of the Town of Humbervale shall consist of a mayor, reeve and first deputy reeve, and two councillors for each of Wards One, Two, Three and Four and one councillor for Ward Five below mentioned, and at the next annual election and thereafter the number of deputy reeves and councillors shall be determined by *The Consolidated Municipal Act, 1922*. Number of councillors.

10.—(1) The Corporation of the Town of Humbervale shall be divided into five wards, to be named "Ward One," "Ward Two," "Ward Three," "Ward Four" and "Ward Five," respectively. Wards.

(2) Ward One shall comprise that part of the Town of Humbervale contained within the boundaries of the existing school section number Twenty-two.

(3) Ward Two shall comprise that part of the Town of

Humbervale contained within the boundaries of the existing school section number Thirty-two.

(4) Ward Three shall comprise that part of the Town of Humbervale contained within the boundaries of the existing school section number Twenty-nine.

(5) Ward Four shall comprise that part of the Town of Humbervale contained within the boundaries of the existing school section number Thirty-three.

(6) Ward Five shall comprise that part of the Town of Humbervale contained within the boundaries of the existing school section number Twenty-four.

Arrears of  
taxes—  
Lists—  
collection

**11.** The Township of York shall furnish the Council of the Town of Humbervale with a full and complete list of all the lands in arrears for taxes at the time of the going in force of this Act, and the Mayor and the Treasurer of the Town of Humbervale shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the said officers in the Township of York. The Reeve and officers of the Township of York shall have full power and authority to make deeds for lands heretofore sold by the Treasurer of the Township of York for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed.

Assessment  
rolls,  
appeals.

**12.** The assessment roll when completed by the assessors of the Township of York for the year 1923, so far as the same affects property within the limits of the said Town of Humbervale shall be valid to all intents and purposes as if the said assessors had been appointed by the Council of the Town of Humbervale and the Township of York shall furnish to the Council of the Town of Humbervale for the organization of the said Town of Humbervale a true and complete copy of the said assessment roll if the same has then been completed or as soon as possible after the same has been completed, and the Council of the Town of Humbervale shall be the Court of Revision to hear any appeals which may be made against the said assessment and any appeals that may have been made to the Township of York shall be deemed to have been made to the Town of Humbervale.

Town part  
of county  
for judicial  
purposes.

**13.** The Town of Humbervale shall be, remain and form part of the County of York for judicial purposes as provided for in respect of other towns in the Province.

Schools.

**14.** The existing school sections in the Town of Humbervale shall be continued until such time as a Board of School

1920, c. 100.

Trustees shall have been elected in accordance with the terms of *The Public Schools Act of 1920* and other statutes in that behalf.

**15.** All expenses incurred in obtaining this Act, including <sup>Expenses</sup> the expenses and charges incurred in submitting the question <sup>of Act.</sup> provided by section 1, the furnishing of any documents, copies of papers, writing, deeds, the remuneration of the Township Clerk of York for services under this Act, or any matter whatsoever required by the Clerk or other officer of the said Town of Humbervale or otherwise, shall be borne by the said Town of Humbervale and paid by it to any person entitled thereto.

No. 36.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate a part of the Township of York as the Town of Humbervale.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. GODFREY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to incorporate a part of the Township of York as the Town of Humbervale.

**W**HEREAS Robert Candlish Smith, Alexander Baillie Preamble; Hutchison, Robert Gray, William McQueen, Edmond Henry Thompson, Frank Fenwick, Joseph Herbert Dicken and other persons, inhabitants and ratepayers of that part of the Township of York hereinafter more particularly described, and which may be known as the Humber District of the said Township, have by petition set forth that that part of the said Township of York hereinafter more particularly described is a geographical entity distinct from the remainder of the Township of York, and separated therefrom by the intervening areas of the existing City of Toronto and the proposed City of York and Town of Mount Dennis; that the said Humber District requires entirely separate systems of water supply, sewage disposal and other public services distinct from those of the remainder of the Township of York, and that the said Humber District on account of its situation and peculiar local conditions requires a different municipal administration from that required for the said Township, and that the interests of the inhabitants of the said Humber District can best be served by a municipal council composed of persons familiar with its requirements; and whereas in view of such conditions the said petitioners have prayed that an Act be passed separating the said districts hereinafter more particularly described and incorporating it as the Town of Humbervale; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.**—This Act may be cited as *The Town of Humbervale* Short title. Act, 1923.

**2.**—(1) It shall be the duty of the Corporation of the Township of York, within five weeks after the day on which this section comes into force, to submit to the municipal Question of separation of certain described area— submission to electors.

electors in that part of the Township of York described as follows: All and singular that part of the Township of York comprised within the following described boundaries: commencing at the intersection of the boundary between Township of York and the Township of Etobicoke, with the northerly boundary of the southerly part of the City of Toronto; thence easterly along the said northerly boundary to the westerly boundary of the said City of Toronto, being the westerly boundary of High Park; thence northerly along the said westerly boundary to the southerly boundary of that part of the said city of Toronto lying south of Bloor Street and annexed to the said city on 2nd January, 1920; thence westerly along the last mentioned southerly boundary to the westerly boundary of that part of the said City of Toronto lying west from Jane Street; thence northerly along the last mentioned westerly boundary to the intersection therewith of the westerly production of the northerly boundary of Annette Street; thence easterly along the said production to the westerly boundary of Jane Street; thence northerly along the said limit of Jane Street being along the westerly limit of the part of the said City of Toronto annexed on 4th January, 1922, to the northerly boundary of that part of the said city annexed on the date hereinbefore last mentioned; thence easterly along the last mentioned northerly boundary to the westerly boundary of the lands west of Runnymede Road (formerly called Elizabeth Street) annexed 4th January, 1922; thence northerly along the last mentioned westerly boundary to the northerly boundary of the said part annexed at the date hereinbefore last mentioned; thence easterly along the last mentioned northerly boundary to the westerly boundary of Runnymede Road; thence northerly along the said boundary of Runnymede Road to that part of the northerly boundary of the said City of Toronto passing through or near the centre line of Cobourg Avenue; thence easterly along the last mentioned boundary, being about three hundred and twenty feet (320') north from the northerly limit of St. Clair Avenue, to that part of the westerly boundary of the said City of Toronto passing along or near the division line between the easterly and westerly halves of lot number 36, in Concession III from the Bay, of the Township of York; *thence along the present north-westerly boundary of the City of Toronto to the boundary between lots numbers 37 and 38 in said Concession III from the Bay*; thence westerly along the last mentioned boundary to the easterly boundary of the original allowance for road between said lot number 38 and the Humber Range of the said Township of York; thence northerly along the said easterly boundary of the allowance for road to the production easterly of the boundary between lots numbers 8 and 9 in the said Humber Range; thence westerly to and along the said boundary between lots numbers



8 and 9, to the aforesaid boundary between the Townships of York and Etobicoke; thence in a general southerly direction following the last mentioned boundary, in the River Humber, with the stream, to the point of commencement,

the following question:

“Are you in favour of the incorporation of the Humber District of the Township of York, as set out in the Act of the Legislature of Ontario passed in 1923, as the Town of Humbervale?”

(2) The polling subdivisions shall be the same as nearly as may be as at the last municipal election, and that part of any polling subdivision which lies within the boundary of the lands hereinbefore described shall for the purpose of the vote be deemed a polling subdivision, and when a polling subdivision is so divided, the Clerk of the Township shall strike off the lists the names of all voters not qualified to vote in that part of the polling subdivision lying within such boundary. The Clerk of the Township of York shall be the Returning Officer for the taking of the said vote and the *last revised* voters' list shall be the list used in the preparation of the voters' list for the taking of the said vote.

(3) The provisions of *The Consolidated Municipal Act, 1922*, shall apply to the taking of the said vote, and the vote <sup>Application of, 1922, c. 72.</sup> on the said question shall be taken on a Saturday.

(4) This section shall not come into force unless the vote upon the question required by *The Town of Mount Dennis Act, 1923*, or the vote upon the question required by *The City of York City Act, 1923*, shall under the provisions of the said Acts be declared to be in the affirmative; and if an affirmative declaration shall so be made, this section shall come into force upon the day following such declaration. <sup>Commencement of section.</sup>

3. If a majority of those voting, vote in the affirmative in answer to the question submitted according to the declaration of the result by the Clerk of the Township of York, the following sections of this Act shall come into force on the day following such declaration. The declaration shall be made not later than noon of the Tuesday following the taking of the said vote. <sup>Declaration of result of vote upon question.</sup>

4. The inhabitants of that part of the Township of York hereinbefore more particularly described, are hereby constituted a corporation or body politic, separate and apart from the Township of York under the name of the Corporation of the Town of Humbervale, and as such shall enjoy all the rights and privileges, and be subject to all the duties and liabilities appertaining to incorporated towns, and the said <sup>Incorporation of Town of Humbervale.</sup>

part of the Township of York hereinbefore more particularly described is hereby detached from the Township of York and shall form a separate and independent *municipality but not separated from the County of York*.

Adjust-  
ment of  
assets and  
liabilities.

**5.**—(1) The provisions of *The Consolidated Municipal Act, 1922*, as to matters consequent upon the erection of a district into a village or town, including the adjusting of assets, debts, arrears of taxes, contracts and liabilities shall apply, except

(a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board; and

(b) The taxes for the year 1923 on the rateable property ~~within~~ within the limits of the said Town of Humbervale shall be levied by the Township of York, and the said Township shall pay over to the Town of Humbervale such portion of the said taxes as may be agreed upon by the two corporations or, in case of dispute, *as may be fixed and determined by the Ontario Railway and Municipal Board.* The expenditures and liabilities for the year 1923 shall be considered by the Board in determining the amount payable to the *Town of Humbervale*.

Arbitration.

(2) The said Board for the purposes of this Act shall be deemed to be the Board of Arbitration appointed under *The Consolidated Municipal Act, 1922*, and the award of Board shall be final and conclusive and without appeal.

William A.  
Clarke  
appointed  
returning  
officer.

**6.**—(1) William A. Clarke, clerk of the Township of York (or the acting clerk of such township for the time being), is hereby appointed Returning Officer at the first election in the Town of Humbervale.

Nomination  
meeting:  
Notice of  
date of  
polling.

(2) A meeting of electors for the nomination of candidates for Mayor, Reeve, first Deputy Reeve and Councillors for the Town of Humbervale shall be held at twelve o'clock noon on the second Saturday following the declaration of the result of the vote on the question at the public school on St. John's Road, of section number Twenty-nine, of which nomination the returning officer shall give six days' notice by posting the same up in at least six conspicuous places in the said Town of Humbervale, and the polling in case a poll is required, shall be held on the next Saturday after such nominations.

Procedure  
at  
nomination  
meeting.

(3) The returning officer shall preside at the nomination meeting, and in case of his absence the electors present shall choose from among themselves a chairman to preside at the

said nomination, and such chairman shall have all the powers of a returning officer and the returning officer or chairman shall at the close of the nomination announce the polling places for the said election.


(4) The polling subdivisions shall be the same as at the <sup>Polling sub-divisions,</sup> vote on the question.

(5) Except as herem otherwise provided, the provisions of <sup>Application provisions</sup> *The Consolidated Municipal Act, 1922*, shall apply as if the <sup>1922. c. 72.</sup> election were being held under that Act.


7. The said returning officer, by his warrant, shall appoint <sup>Election of council appointment of deputy returning officers,</sup> a deputy returning officer for each of the polling subdivisions, and such returning officer and each deputy returning officer shall, before the holding of the said election, take the oath or affirmation required by law, and shall be subject to all the provisions of *The Consolidated Municipal Act, 1922*, applicable to returning officers at elections in towns in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to the elections in towns.

8. The first meeting of the Council of the Town of Hum- <sup>First meeting of council,</sup> bervale shall be held at the public schoolhouse on St. John's Road of section Twenty-nine at twelve o'clock noon on the Saturday next following the polling and if no poll is required, then on the Saturday next following the day of nomination.


9.—(1) At the first election, the Council of the Town of <sup>Number of councillors,</sup> Humbervale shall consist of a mayor, reeve and first deputy reeve, and *nine* councillors, *all of whom shall be elected by general vote*, and at the next annual election and thereafter the number of deputy reeves and councillors shall be determined by *The Consolidated Municipal Act, 1922*.

 (2) The qualification required of candidates at the <sup>Qualification of candidates,</sup> first election shall be the qualification required under *The Consolidated Municipal Act, 1922*.

(3) The mayor, reeves and councillors shall hold office until <sup>Term of office,</sup> the 31st day of December, 1923, or until their successors have been elected and have taken the declaration of qualification and of office.


(4) Until the 31st day of December, 1923, the Town shall <sup>Representa- tion in County Council,</sup> be represented in the council of the County of York by the mayor and the reeve and thereafter as provided by *The Consolidated Municipal Act, 1922*. 

Certain  
Township  
powers  
conferred,

 **10.** The Corporation of the Town of Humbervale shall have and may exercise within its limits, the powers conferred on the Township of York by:—

- (a) 6 George V, chapter 100, as amended by sections 1 and 2 of 7 George V, chapter 98, and by 9 George V, chapter 114; and
- (b) Sections 3 and 4 of 12-13 George V, chapter 139.

Application  
1922, c. 72.

**11.** The provisions of *The Consolidated Municipal Act, 1922*, relating to matters consequent on the formation of new municipal corporations, and all other provisions of *The Consolidated Municipal Act, 1922*, except so far as herein otherwise provided, shall apply to the said Corporation of the Town of Humbervale in the same manner as if the said town had been erected into a town under the provisions of *The Consolidated Municipal Act, 1922*. 



Arrears of  
taxes—  
Lists—  
Collection,

**12.** The Township of York shall furnish the Council of the Town of Humbervale with a full and complete list of all the lands in arrears for taxes at the time of the going in force of this Act, and the Mayor and the Treasurer of the Town of Humbervale shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the *reeve and proper officers of* the Township of York. The Reeve and officers of the Township of York shall have full power and authority to make deeds for lands heretofore sold by the Treasurer of the Township of York for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed.

Assessment  
rolls,  
appeals.

**13.** The assessment roll when completed by the assessors of the Township of York for the year 1923, so far as the same affects property within the limits of the said Town of Humbervale shall be valid to all intents and purposes as if the said assessors had been appointed by the Council of the Town of Humbervale and the Township of York shall furnish to the Council of the Town of Humbervale for the organization of the said Town of Humbervale a true and complete copy of the said assessment roll if the same has then been completed or as soon as possible after the same has been completed, and the Council of the *Township of York* shall be the Court of Revision to hear any appeals which may be made against the said assessment *and the said assessment roll as revised shall be the assessment roll for the Town of Humbervale for the year 1923.*

**14.** The existing school sections, Nos. 22, 29, 32 and 33, Schools, and the existing Union School Section No. 24 shall be continued until such time as a Board of School Trustees for the Town of Humbervale as an urban municipality shall have been elected in accordance with the terms of *The Public Schools Act, 1920*. <sup>1920, c. 100</sup>

 **15.** For the purpose of providing moneys which may be required for the payment of any debt which may be found due or owing by the Town of Humbervale to the Township of York, the municipal council of the Town of Humbervale may issue debentures payable within a period not exceeding twenty years and bearing such rate of interest as may be determined by the said council to pay such debt, and it shall not be necessary to obtain the assent of the electors to any by-law for the issuing of such debentures.  <sup>Authority to issue debentures for payment of debts owed Township of York.</sup>

**16.** All expenses incurred in obtaining this Act, including the expenses and charges incurred in submitting the question provided by section 2, the furnishing of any documents, copies of papers, writing, deeds, the remuneration of the Township Clerk of York for services under this Act, or any matter whatsoever required by the Clerk or other officer of the said Town of Humbervale or otherwise, shall be borne by the said Town of Humbervale and paid by it to any person entitled thereto. <sup>Expenses of Act.</sup>

No. 36.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate a part of the Township of York as the Town of Humbervale.

1st Reading,	23rd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Reprinted as amended by the Private  
Bills Committee.*)

MR. GODFREY.

TORONTO:  
PRINTED BY CLARRSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of Sault Ste. Marie.

**W**HEREAS the Council of the Corporation of the City <sup>Preamble.</sup> of Sault Ste. Marie has by petition represented that it is desirable that certain by-laws specified in schedules 1 and 2 hereto and the debentures issued or to be issued thereunder and the assessments made or to be made, and the rates levied or to be levied, for the payment of the said debentures and the agreement referred to in schedule 3 hereto be validated and confirmed; that all sales of lands within the City of Sault Ste. Marie made subsequent to the 31st day of December, 1920 and prior to the 1st day of January, 1922, which purport to have been made by the said corporation for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation be validated and confirmed; and that authority be given to the council of the said corporation to pass by-laws to provide for the sale of land for arrears of taxes when said arrears have extended for a period of three years or more, to extend the time for the return of the income assessment roll, to provide for different license fees for different classes of transient traders, to license and regulate canvassers, collectors, palmists and phrenologists and to appoint the engineer or other official of the said corporation as a member of the Public Utilities Commission notwithstanding the provisions of *The Assessment Act*, *The Consolidated Municipal Act*, 1922 or other Statutes governing same; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. This Act may be cited as *The City of Sault Ste. Marie* <sup>Short title.</sup> *Act*, 1923.

2. The by-laws of the said corporation specified in schedule 1 hereto and all debentures issued or to be issued thereunder, <sup>By-laws specified in Schedule 1 confirmed.</sup> and all assessments made or to be made, and all rates levied or to be levied, for the payment of the said debentures so author-

ized or any portion thereof are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No.  
1184 and  
agreement  
confirmed.

**3.** By-law No. 1184 of the said corporation set out as schedule 2 hereto and the Agreement therein referred to as Exhibit marked "A" and set out in schedule 3 hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon all parties thereto, and the said City of Sault Ste. Marie is authorized and empowered to do all necessary and proper acts for the full and proper carrying out of the said by-law and agreement.

Exemption  
of Gas  
Company  
from  
taxation.

**4.** Subject to the provisions contained in paragraph 10 of the said Agreement, the property of the Gas Company in the said city shall be exempt from taxation, including local improvement rates, other than for school purposes, until the 31st day of December, 1932.

Authority  
to pass  
by-laws.

**5.** The Council of the said corporation may pass by-laws:—

Sale of land  
for arrears  
of taxes.

(a) To provide for the sale of land for arrears of taxes when said arrears have extended for a period of two years or more, and to take all such steps as may be deemed necessary to carry out such sales.

Return of  
assessment  
roll.

(b) To extend the time for the return of the income assessment roll by the Assessment Commissioner for any year for which the said assessment is made from the 1st day of October of the previous year to the 1st day of March of the year for which said assessment is made and to fix dates for the Court of Revision for the hearing of appeals from said income assessment and for the hearing of appeals from the said Court of Revision by the District Judge.

License and  
fees.

(c) To provide for different license fees for different classes of transient traders and for licensing and regulating canvassers, collectors, palmists and phrenologists.

Membership  
of Public  
Utilities  
Commission.

(d) To appoint the engineer or other official of the said corporation as a member of the Public Utilities Commission of the said City.



**6.—**(1) All sales of lands within the City of Sault Ste. Marie made subsequent to the 31st day of December, 1920, and prior to the first day of January, 1922, which purport to have been made by the corporation of the said City for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation, are hereby validated and confirmed, and all deeds of lands so sold, executed by the mayor and treasurer of the said corporation on behalf of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns, are hereby validated and confirmed and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his or her or their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns, and all charges or encumbrances thereon, except taxes accrued since those for which payment whereof the said lands were sold.

Tax Sales  
and deed  
prior to 1  
Jan., 1922,  
confirmed

(2) Subsection 1 of this section shall extend and apply to cases where the said corporation, or any person or persons in trust for it, or in its behalf, became the purchaser of lands at any such tax sale.

Application  
of subs. 1  
where  
corporation  
is purchaser.

(3) Nothing in this section contained shall affect any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending  
litigation  
not affected.

**7.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## SCHEDULE 1

(a) By-law No. 1192 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum required to pay the excess cost of the Fort Creek sewer over the estimated cost as set forth in by-law No. 1156 of the said City.

(b) By-law No. 1193 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum required for the erection and equipment of a fire-hall on Wellington Street and to make certain alterations to Queen Street fire-hall and the purchase of land required for said Wellington Street fire-hall.

(c) By-law No. 1194 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum required to pay for the cost of construction of certain sewers, constructed as a local improvement in 1922, being a portion of the Harris & Buckley sewerage system.

(d) By-law No. 1195 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum required to pay for the cost of construction of certain sewers constructed as a local improvement in 1922.

## SCHEDULE 2

## BY-LAW No. 1184

## OF THE CITY OF SAULT STE. MARIE

A by-law to authorize the granting to Fred W. Freese and Thomas J. Wilcox, an exclusive franchise for the supply of gas to the City of Sault Ste. Marie and the inhabitants thereof.

Whereas Fred W. Freese and Thomas J. Wilcox have made an offer in writing to the Municipal Council of the Corporation of the City of Sault Ste. Marie, for an exclusive franchise to supply gas to the City of Sault Ste. Marie and its inhabitants, on the terms and conditions set forth in said offer, which said offer is dated the 22nd day of August, 1922, and have agreed to expend the sum of at least \$200,000 within one year from the date of granting of said franchise, and have requested the said Council to submit a by-law to the electors for their assent thereto, which the said Council hath agreed to do;

And whereas, the said applicants have agreed to enter into an agreement with the said corporation on the terms and conditions set forth in the said offer, said agreement being annexed hereto and marked schedule "A";

And whereas, said agreement provides for the exemption of the said industry from all general and local improvement taxes, except school taxes, for a period of ten years from the 31st day of December, 1922, said exemption being a bonus to the said applicants;

And whereas, there is no similar industry carried on in the said City;

And whereas, there is no other industry or enterprise receiving a bonus from the said City, similar to that proposed to be carried on by the said applicants, and the amount of the aid set out in the said agreement would require an annual levy by the Municipal Council of the said City for an amount less than ten per cent. of the total annual municipal taxes of the said City;

Therefore the Municipal Council of the Corporation of the City of Sault Ste. Marie enacts as follows:—

1. It shall be lawful for the Corporation of the City of Sault Ste. Marie to enter into the said agreement incorporated herewith and forming part hereof, and marked schedule "A" hereto, and to perform and fulfil all the obligations therein contained, and the Mayor and the Clerk of the said corporation are hereby authorized and required for and on behalf of the said corporation, to execute and deliver the said Indenture of Agreement set forth and contained in schedule "A" hereto.

2. During the period of ten years from the 31st day of December, 1922, the said plant, works and equipment of the said Fred W. Freese and Thomas J. Wilcox, or of any corporation to which they may assign their rights under said agreement, shall be exempted from all taxes, including local improvement rates, excepting school taxes, but such exemption shall not apply to any dwelling house owned by said applicants or said company, or to any business plant or work not solely used in connection with the business of manufacturing and distributing gas and supplies and appliances used by consumers in connection therewith.

3. The franchise for supplying said gas shall extend for a period of thirty-five years from the date same is granted, and shall be exclusive, the said corporation to have the right to purchase said plant and equipment at any time during the said period, at a price to be determined by arbitration in case no price can be agreed upon.

This by-law shall come into force and take effect on the final passing thereof.

Read a first and second time by a vote of three-fourths of all the members of the Council, this 11th day of September, 1922.

[SEAL] (Sgd). R. G. CAMPBELL, Clerk.

Read a third time and finally passed in open Council by a vote of three-fourths of all the members of the Council this 23rd day of October, 1922.

JAS. DAWSON, (Sgd). R. G. CAMPBELL, Clerk.  
Mayor.

[SEAL]

I hereby certify the foregoing to be a true copy of by-law No. 1184, passed by the Municipal Council of the City of Sault Ste. Marie at a meeting thereof held on the 23rd day of October, A.D. 1922.

R. G. CAMPBELL,  
Clerk.

### SCHEDULE 3

This is schedule "A" referred to in the hereunto annexed by-law No. 1184 of the City of Sault Ste. Marie.

This agreement made (in triplicate) this twenty-third day of October, A. D. 1922:

Between:

*Thomas Jefferson Wilcox* of the City of Sault Ste. Marie in the District of Algoma, Real Estate Agent, and *Fred W. Freese* of the City of Chicago, in the State of Illinois, one of the United States of America, Engineer, hereinafter called "The Parties"

of the first part

and

*The Municipal Corporation of the City of Sault Ste. Marie*, hereinafter called "The Corporation"

of the second part

and

hereinafter called the "Gas Company"

of the third part.

Whereas the parties of the first part have made a proposal in writing dated the 22nd day of August, A.D. 1922, to the Municipal Council of the said corporation, for establishing in the City of Sault Ste. Marie, a plant to manufacture gas, and applied for an exclusive franchise for the

supply of gas to the corporation and its inhabitants, said franchise to extend for a period of thirty-five years from the date of the granting of same, on the terms and conditions set out in said written proposal;

And whereas, the assent of three-fourths of all the members of the said Municipal Council and of two-thirds of all the electors voting on a by-law authorizing the granting of said franchise is required by statute;

And whereas the corporation duly submitted a by-law to authorize the granting of the said franchise to a vote of the electors of the corporation entitled to vote thereon, and on the fifth day of October, 1922, the said vote, after being duly advertised, was taken, when 1,012 electors voted, of whom 827 voted in favour of said by-law, and 185 voted against the said by-law, the number in favour thereof being more than the two-thirds of those voting as required by law;

And whereas more than three-fourths of the members of the Municipal Council of the Corporation have voted in open Council at a regular meeting thereof in favour of the said by-law;

And whereas, the corporation hath agreed to enter into this agreement for the granting of said franchise;

And whereas the parties of the first part have assigned to the Gas Company all their right, title and interest in the said proposal dated the 22nd day of August, 1922, and any and all benefit and advantage thereof vested in them by reason of the premises:

Now therefore, this agreement witnesseth that in consideration of the premises and of the covenants hereinafter reserved and contained on the part of the respective parties hereto, the said parties do hereby mutually covenant, promise and agree, each to and with the other of them in manner following, that is to say:—

1. The corporation hereby grants to the Gas Company an exclusive franchise for the manufacture of artificial gas, and for the supplying and selling of artificial and natural gas to the corporation and its inhabitants within the present and future limits of the corporation for fuel, heating, illuminating and power purposes, for a period of thirty-five years from the date hereof.

2. The Gas Company shall have the right to use all streets, alleys, highways, public grounds, bridges and viaducts of the corporation for the purpose of placing, laying, erecting, attaching, maintaining and operating mains, regulators and appliances necessary for the purpose of exercising said franchise, all such work to be done subject to the approval of the Engineer of the Corporation, such approval not to be unreasonably withheld; but such streets, alleys, highways, public grounds, bridges or viaducts shall not be unnecessarily obstructed, and shall be restored to their former condition as nearly and as soon as possible by the Gas Company; any such pipes or mains may be laid if necessary within six feet of any mains, conduits or sewers of the corporation; the Gas Company does hereby indemnify and agree to save harmless the corporation of and from all damages from any negligence of the Gas Company or of its employees in the construction, maintenance and operation of such works.

3. The Gas Company agrees to commence the construction of such work within sixty days after said franchise has been granted and be in a position to supply gas in accordance therewith within twelve months from said date to residents of the corporation within that portion of the corporate limits extending from Pine Street on the east as far west and including the Harris & Buckley sub-division, and extending from the St. Mary's River north to and including the Pim and Bruce Hill districts and the Ferguson and Moffly sub-divisions as set forth on a plan filed in the office of the City Clerk showing the location of the proposed mains and pipes.

4. The Gas Company further agrees to extend its mains beyond the points shown on said plan whenever the residents upon any street or

portion thereof give a satisfactory guarantee to the Gas Company of a gas consumption from such proposed extension sufficient to pay ten per centum net profit per annum upon the cost of such extension, but the Gas Company may at any time during the said franchise, extend its mains within the limits of the corporation without such guarantee.

5. All pipe lines shall be laid to the lot line in streets where the main line is on the street, and to a point six feet inside the lot line where the main line is in alleys, without cost to the consumer.

6. So far as is economically feasible, the Gas Company shall lay its mains in alleys rather than in the streets.

7. No service charge shall be made to consumers who shall be supplied with meters free of rent, or other charge for the use thereof.

8. The maximum price to be charged all consumers for all purposes, subject to the clause hereinafter set forth in respect to an addition to or reduction of said charges shall be as follows:—

For Artificial Gas

For the first	2000	cu. ft. per month—	\$1.65	per thousand cu. ft.				
" " next	3000	" " " "	1.60	" " " "				
" " "	5000	" " " "	1.50	" " " "				
" " "	5000	" " " "	1.40	" " " "				
" " "	5000	" " " "	1.30	" " " "				
" all over	20,000	" " " "	1.20	" " " "				

A minimum charge of \$1.00 per month or part of a month shall be paid by each person, firm or corporation to whose premises the gas service is extended, and available and whose supply of gas has not been ordered in writing by the consumer to be cut off, or whose supply has not been cut off by the Gas Company. An additional charge at the rate of ten cents per thousand cubic feet or part thereof shall be paid if the consumer's bill is not paid within ten days from the mailing thereof to the consumer.

9. Should natural gas become available during the period of the franchise, same may be supplied in lieu of artificial gas, in which case all other terms of this agreement shall be complied with, except that relating to price which shall be \$1.00 per thousand cubic feet, with the right to make special rates to consumers at less than general rate based on the amount of gas used, and the conditions of the contract, which special rates shall be the same to all consumers using the same amount of gas under the same contract conditions; provided however if the demand from special rate consumers should threaten the general supply of the corporation, and the regular rate consumers, the supply to the special rate consumers may be shut off at any time.

10. The Gas Company shall expend in the establishing and construction of said gas plant within the period of twelve months from the granting of said franchise the sum of at least \$200,000 but accidents in and to the Gas Company's works, labour strikes, acts of God or the King's enemies, war or other circumstances beyond the Gas Company's control, shall be deemed to excuse the Gas Company in respect to the obligations to complete said construction and make the said expenditure within the said period, the said corporation to have the right to be supplied on demand with proper vouchers for all such expenditure should it deem same expedient.

11. The calorific value of all gas distributed to consumers shall be not less than five hundred (500) British Thermal Units per cubic foot, tested under standard conditions.

12. The business plant and works of the Gas Company shall be exempted from all taxes, including local improvement rates, but not including school taxes, for a period of ten years from the 31st day of December, 1922, but no dwelling house owned by the Gas Company and no business plant or

works not solely used in connection with the business of manufacturing and distributing gas, supplies and appliances used by consumers in connection therewith, shall be exempt from such taxation.

13. The Gas Company may refuse to supply gas to, or may cut off the supply of gas from consumers who are in arrears, until payment of all arrears is made, and until compliance is had with the rules and regulations of the Gas Company, who may remove the open meter and instal the prepay meter, or discontinue the service altogether, where the consumer does not make prompt settlement, but in all such cases, service shall be resumed provided the consumer shall furnish a satisfactory guarantee of all bills.

14. Any meter installed for a consumer, if believed by such consumer to be irregular, shall, on the complaint of the consumer, be tested on a standard meter-prover to be installed by the Gas Company. No charge shall be made for testing said meter if same is found over two per centum fast or slow; if the meter is correct within two per centum, the consumer shall pay \$2.00 to the Gas Company for the making of the test.

15. A deposit of \$5.00 may be required from all consumers desiring to be supplied with gas, and an additional deposit sufficient to cover the probable amount of gas consumed in any one month from any consumer not the owner of the premises where the gas is to be used, or from any consumer not known to be a resident of Sault Ste. Marie, or one who has not complied with the rules and regulations of the Gas Company, which shall pay and allow to all consumers making such deposit of \$5.00, interest thereon at the rate of three per cent. per annum so long as said deposit remains as such in the hands of the Gas Company, which shall also be entitled to make a charge of \$2.00 for setting meter and turning on gas, and a like charge of \$2.00 to any consumer having had gas connected, who does continue to be a gas consumer for six consecutive months to cover charges of shutting off the gas and removing the meter.

16. The Gas Company shall have the right to cut off gas temporarily from its mains and pipes for the purpose of repairs or extensions, or while repairs or extensions are being made; and to make all reasonable and needful rules and regulations for safeguarding the conduct of its business, collecting all revenue, prevention of waste in the conduct and management of its business, by consumers or others, and to amend and change such rules and regulations from time to time; and at the request of the Gas Company the Council of the corporation shall enact such by-laws, rules and regulations as may be deemed just by the Council to protect the Company and its works and property from damage, imposition and fraud, and to prevent unnecessary waste.

17. The prices for artificial gas hereinbefore set out are based on gas oil at ten cents per gallon, delivered at the plant of the Gas Company, and coke at \$11.00 per ton delivered in its shed. If at any time the price of gas oil shall increase over the above price, one cent per gallon, or the price of coke shall increase over the said price \$1.00 per ton, the Gas Company shall have the right to raise the price of artificial gas by five cents per thousand cubic feet for each such increase in the price of gas oil or coke; and if the price of gas oil shall decrease one cent per gallon, or coke shall decrease \$1.00 per ton below the respective prices therefor above quoted, the Council of the corporation, on notice to the Gas Company, and after hearing its representations in the matter, may by resolution, order a decrease in the price of artificial gas of five cents per thousand cubic feet for each such decrease in the price of gas oil or coke and such decrease shall take effect on the first day of the first month next after the passing of such resolution, the corporation to have the right to inspect the books of the Gas Company to satisfy itself as to the increase in price of gas oil or coke being bona fide.

18. The parties of the first part having assigned to the Gas Company all their right, title and interest in the said proposal dated the 22nd day of August, 1922, and any and all advantage therein vested in them by reason of the premises, hereby consent to this agreement being entered into

between the parties of the second and third parts, and release the said parties from all claims arising under anything in this agreement.

19. This agreement and all the terms and conditions thereof shall enure to the benefit of and include and be binding upon, not only the parties of the second and third parts, but upon their respective successors and assigns.

In witness whereof, the parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED  
in the presence of  
P. T. ROWLAND

T. J. WILCOX,                      Seal  
F. W. FREESE,                      Seal

The Corporation of the City of  
Sault Ste. Marie.

JAMES DAWSON,  
*Mayor.*

R. G. CAMPBELL,  
*Clerk.*







No. 37.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of Sault Ste.  
Marie.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. CUNNINGHAM.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of Sault Ste. Marie.

**W**HEREAS the Council of the Corporation of the City of Sault Ste. Marie has by petition represented that it is desirable that certain by-laws specified in schedules 1 and 2 hereto and the debentures issued or to be issued thereunder and the assessments made or to be made, and the rates levied or to be levied, for the payment of the said debentures and the agreement referred to in schedule 3 hereto be validated and confirmed; that all sales of lands within the City of Sault Ste. Marie made subsequent to the 31st day of December, 1920 and prior to the 1st day of January, 1922, which purport to have been made by the said corporation for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation be validated and confirmed; and that authority be given to the council of the said corporation to pass by-laws to provide for the sale of land for arrears of taxes when said arrears have extended for a period of three years or more, to extend the time for the return of the income assessment roll, to provide for different license fees for different classes of transient traders, to license and regulate canvassers, collectors, palmists and phrenologists and to appoint the engineer or other official of the said corporation as a member of the Public Utilities Commission notwithstanding the provisions of *The Assessment Act, The Consolidated Municipal Act, 1922* or other Statutes governing same; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** This Act may be cited as *The City of Sault Ste. Marie Act, 1923*.

**2.** The by-laws of the said corporation specified in schedule 1 hereto and all debentures issued or to be issued thereunder, and all assessments made or to be made, and all rates levied or to be levied, for the payment of the said debentures so author-

By-laws  
specified in  
Schedule 1  
confirmed.

ized or any portion thereof are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 1184 and agreement confirmed.

**3.** By-law No. 1184 of the said corporation set out as schedule 2 hereto and the Agreement therein referred to as Exhibit marked "A" and set out in schedule 3 hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon all parties thereto, and the said City of Sault Ste. Marie is authorized and empowered to do all necessary and proper acts for the full and proper carrying out of the said by-law and agreement.

Exemption of Gas Company from taxation.

**4.** Subject to the provisions contained in paragraph 10 of the said Agreement, the property of the Gas Company in the said city shall be exempt from taxation, including local improvement rates, other than for school purposes, until the 31st day of December, 1932.

Tax Sales and deeds prior to 1st Jan., 1922, confirmed.

**5.—(1)** All sales of lands within the City of Sault Ste. Marie made subsequent to the 31st day of December, 1920, and prior to the first day of January, 1922, which purport to have been made by the corporation of the said City for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation, are hereby validated and confirmed, and all deeds of lands so sold, executed by the mayor and treasurer of the said corporation on behalf of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns, are hereby validated and confirmed and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his or her or their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns, and all charges or encumbrances thereon, except taxes accrued since those for which payment whereof the said lands were sold.

Application of subs. 1 where corporation is purchaser.

**(2)** Subsection 1 of this section shall extend and apply to cases where the said corporation, or any person or persons in trust for it, or in its behalf, became the purchaser of lands at any such tax sale.

Pending litigation not affected.

**(3)** Nothing in this section contained shall affect any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the

same manner and as fully and effectually as if this Act had not been passed.

**6.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. <sup>Commence-</sup>  
<sup>ment of Act.</sup>

## SCHEDULE 1

(a) By-law No. 1192 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum required to pay the excess cost of the Fort Creek sewer over the estimated cost as set forth in by-law No. 1156 of the said City.

(b) By-law No. 1194 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum required to pay for the cost of construction of certain sewers, constructed as a local improvement in 1922, being a portion of the Harris & Buckley sewerage system.

(c) By-law No. 1195 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum required to pay for the cost of construction of certain sewers constructed as a local improvement in 1922.

## SCHEDULE 2

## BY-LAW No. 1184

## OF THE CITY OF SAULT STE. MARIE

A by-law to authorize the granting to Fred W. Freese and Thomas J. Wilcox, an exclusive franchise for the supply of gas to the City of Sault Ste. Marie and the inhabitants thereof.

Whereas Fred W. Freese and Thomas J. Wilcox have made an offer in writing to the Municipal Council of the Corporation of the City of Sault Ste. Marie, for an exclusive franchise to supply gas to the City of Sault Ste. Marie and its inhabitants, on the terms and conditions set forth in said offer, which said offer is dated the 22nd day of August, 1922, and have agreed to expend the sum of at least \$200,000 within one year from the date of granting of said franchise, and have requested the said Council to submit a by-law to the electors for their assent thereto, which the said Council hath agreed to do;

And whereas, the said applicants have agreed to enter into an agreement with the said corporation on the terms and conditions set forth in the said offer, said agreement being annexed hereto and marked schedule "A";

And whereas, said agreement provides for the exemption of the said industry from all general and local improvement taxes, except school taxes, for a period of ten years from the 31st day of December, 1922, said exemption being a bonus to the said applicants;

And whereas, there is no similar industry carried on in the said City;

And whereas, there is no other industry or enterprise receiving a bonus from the said City, similar to that proposed to be carried on by the said applicants, and the amount of the aid set out in the said agreement would require an annual levy by the Municipal Council of the said City for an amount less than ten per cent. of the total annual municipal taxes of the said City;

Therefore the Municipal Council of the Corporation of the City of Sault Ste. Marie enacts as follows:—

1. It shall be lawful for the Corporation of the City of Sault Ste. Marie to enter into the said agreement incorporated herewith and forming part hereof, and marked schedule "A" hereto, and to perform and fulfil all the obligations therein contained, and the Mayor and the Clerk of the said corporation are hereby authorized and required for and on behalf of the said corporation, to execute and deliver the said Indenture of Agreement set forth and contained in schedule "A" hereto.

2. During the period of ten years from the 31st day of December, 1922 the said plant, works and equipment of the said Fred W. Freese and Thomas J. Wilcox, or of any corporation to which they may assign their rights under said agreement, shall be exempted from all taxes, including local improvement rates, excepting school taxes, but such exemption shall not apply to any dwelling house owned by said applicants or said company, or to any business plant or work not solely used in connection with the business of manufacturing and distributing gas and supplies and appliances used by consumers in connection therewith.

3. The franchise for supplying said gas shall extend for a period of thirty-five years from the date same is granted, and shall be exclusive, the said corporation to have the right to purchase said plant and equipment at any time during the said period, at a price to be determined by arbitration in case no price can be agreed upon.

This by-law shall come into force and take effect on the final passing thereof.

Read a first and second time by a vote of three-fourths of all the members of the Council, this 11th day of September, 1922.

(Sgd). R. G. CAMPBELL,  
*Clerk.*

[SEAL]

Read a third time and finally passed in open Council by a vote of three-fourths of all the members of the Council this 23rd day of October, 1922.

JAS. DAWSON, (Sgd). R. G. CAMPBELL,  
*Mayor.* *Clerk.*

[SEAL]

I hereby certify the foregoing to be a true copy of by-law No. 1184, passed by the Municipal Council of the City of Sault Ste. Marie at a meeting thereof held on the 23rd day of October, A.D. 1922.

R. G. CAMPBELL,  
*Clerk*

### SCHEDULE 3

This is schedule "A" referred to in the hereunto annexed by-law No. 1184 of the City of Sault Ste. Marie.

This agreement made (in triplicate) this twenty-third day of October, A. D. 1922:

Between:

*Thomas Jefferson Wilcox* of the City of Sault Ste. Marie in the District of Algoma, Real Estate Agent, and *Fred W. Freese* of the City of Chicago, in the State of Illinois, one of the United States of America, Engineer, hereinafter called "The Parties"

of the first part

and

*The Municipal Corporation of the City of Sault Ste. Marie*, hereinafter called "The Corporation"

of the second part

and

hereinafter called the "Gas Company"

of the third part.

Whereas the parties of the first part have made a proposal in writing dated the 22nd day of August, A.D. 1922, to the Municipal Council of the said corporation, for establishing in the City of Sault Ste. Marie, a plant to manufacture gas, and applied for an exclusive franchise for the

supply of gas to the corporation and its inhabitants, said franchise to extend for a period of thirty-five years from the date of the granting of same, on the terms and conditions set out in said written proposal;

And whereas, the assent of three-fourths of all the members of the said Municipal Council and of two-thirds of all the electors voting on a by-law authorizing the granting of said franchise is required by statute;

And whereas the corporation duly submitted a by-law to authorize the granting of the said franchise to a vote of the electors of the corporation entitled to vote thereon, and on the fifth day of October, 1922, the said vote, after being duly advertised, was taken, when 1,012 electors voted, of whom 827 voted in favour of said by-law, and 185 voted against the said by-law, the number in favour thereof being more than the two-thirds of those voting as required by law;

And whereas more than three-fourths of the members of the Municipal Council of the Corporation have voted in open Council at a regular meeting thereof in favour of the said by-law;

And whereas, the corporation hath agreed to enter into this agreement for the granting of said franchise;

And whereas the parties of the first part have assigned to the Gas Company all their right, title and interest in the said proposal dated the 22nd day of August, 1922, and any and all benefit and advantage thereof vested in them by reason of the premises:

Now therefore, this agreement witnesseth that in consideration of the premises and of the covenants hereinafter reserved and contained on the part of the respective parties hereto, the said parties do hereby mutually covenant, promise and agree, each to and with the other of them in manner following, that is to say:—

1. The corporation hereby grants to the Gas Company an exclusive franchise for the manufacture of artificial gas, and for the supplying and selling of artificial and natural gas to the corporation and its inhabitants within the present and future limits of the corporation for fuel, heating, illuminating and power purposes, for a period of thirty-five years from the date hereof.

2. The Gas Company shall have the right to use all streets, alleys, highways, public grounds, bridges and viaducts of the corporation for the purpose of placing, laying, erecting, attaching, maintaining and operating mains, regulators and appliances necessary for the purpose of exercising said franchise, all such work to be done subject to the approval of the Engineer of the Corporation, such approval not to be unreasonably withheld; but such streets, alleys, highways, public grounds, bridges or viaducts shall not be unnecessarily obstructed, and shall be restored to their former condition as nearly and as soon as possible by the Gas Company; any such pipes or mains may be laid if necessary within six feet of any mains, conduits or sewers of the corporation; the Gas Company does hereby indemnify and agree to save harmless the corporation of and from all damages from any negligence of the Gas Company or of its employees in the construction, maintenance and operation of such works.

3. The Gas Company agrees to commence the construction of such work within sixty days after said franchise has been granted and be in a position to supply gas in accordance therewith within twelve months from said date to residents of the corporation within that portion of the corporate limits extending from Pine Street on the east as far west and including the Harris & Buckley sub-division, and extending from the St. Mary's River north to and including the Pim and Bruce Hill districts and the Ferguson and Moffly sub-divisions as set forth on a plan filed in the office of the City Clerk showing the location of the proposed mains and pipes.

4. The Gas Company further agrees to extend its mains beyond the points shown on said plan whenever the residents upon any street or



portion thereof give a satisfactory guarantee to the Gas Company of a gas consumption from such proposed extension sufficient to pay ten per centum net profit per annum upon the cost of such extension, but the Gas Company may at any time during the said franchise, extend its mains within the limits of the corporation without such guarantee.

5. All pipe lines shall be laid to the lot line in streets where the main line is on the street, and to a point six feet inside the lot line where the main line is in alleys, without cost to the consumer.

6. So far as is economically feasible, the Gas Company shall lay its mains in alleys rather than in the streets.

7. No service charge shall be made to consumers who shall be supplied with meters free of rent, or other charge for the use thereof.

8. The maximum price to be charged all consumers for all purposes, subject to the clause hereinafter set forth in respect to an addition to or reduction of said charges shall be as follows:—

For Artificial Gas

For the first	2000	cu. ft. per month—	\$1.65	per thousand cu. ft.				
" " next	3000	" " " "	1.60	" " " "				
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" " "	5000	" " " "	1.30	" " " "				
" all over	20,000	" " " "	1.20	" " " "				

A minimum charge of \$1.00 per month or part of a month shall be paid by each person, firm or corporation to whose premises the gas service is extended, and available and whose supply of gas has not been ordered in writing by the consumer to be cut off, or whose supply has not been cut off by the Gas Company. An additional charge at the rate of ten cents per thousand cubic feet or part thereof shall be paid if the consumer's bill is not paid within ten days from the mailing thereof to the consumer.

9. Should natural gas become available during the period of the franchise, same may be supplied in lieu of artificial gas, in which case all other terms of this agreement shall be complied with, except that relating to price which shall be \$1.00 per thousand cubic feet, with the right to make special rates to consumers at less than general rate based on the amount of gas used, and the conditions of the contract, which special rates shall be the same to all consumers using the same amount of gas under the same contract conditions; provided however if the demand from special rate consumers should threaten the general supply of the corporation, and the regular rate consumers, the supply to the special rate consumers may be shut off at any time.

10. The Gas Company shall expend in the establishing and construction of said gas plant within the period of twelve months from the granting of said franchise the sum of at least \$200,000 but accidents in and to the Gas Company's works, labour strikes, acts of God or the King's enemies, war or other circumstances beyond the Gas Company's control, shall be deemed to excuse the Gas Company in respect to the obligations to complete said construction and make the said expenditure within the said period, the said corporation to have the right to be supplied on demand with proper vouchers for all such expenditure should it deem same expedient.

11. The calorific value of all gas distributed to consumers shall be not less than five hundred (500) British Thermal Units per cubic foot, tested under standard conditions.

12. The business plant and works of the Gas Company shall be exempted from all taxes, including local improvement rates, but not including school taxes, for a period of ten years from the 31st day of December, 1922, but no dwelling house owned by the Gas Company and no business plant or

works not solely used in connection with the business of manufacturing and distributing gas, supplies and appliances used by consumers in connection therewith, shall be exempt from such taxation.

13. The Gas Company may refuse to supply gas to, or may cut off the supply of gas from consumers who are in arrears, until payment of all arrears is made, and until compliance is had with the rules and regulations of the Gas Company, who may remove the open meter and instal the prepay meter, or discontinue the service altogether, where the consumer does not make prompt settlement, but in all such cases, service shall be resumed provided the consumer shall furnish a satisfactory guarantee of all bills.

14. Any meter installed for a consumer, if believed by such consumer to be irregular, shall, on the complaint of the consumer, be tested on a standard meter-prover to be installed by the Gas Company. No charge shall be made for testing said meter if same is found over two per centum fast or slow; if the meter is correct within two per centum, the consumer shall pay \$2.00 to the Gas Company for the making of the test.

15. A deposit of \$5.00 may be required from all consumers desiring to be supplied with gas, and an additional deposit sufficient to cover the probable amount of gas consumed in any one month from any consumer not the owner of the premises where the gas is to be used, or from any consumer not known to be a resident of Sault Ste. Marie, or one who has not complied with the rules and regulations of the Gas Company, which shall pay and allow to all consumers making such deposit of \$5.00, interest thereon at the rate of three per cent. per annum so long as said deposit remains as such in the hands of the Gas Company, which shall also be entitled to make a charge of \$2.00 for setting meter and turning on gas, and a like charge of \$2.00 to any consumer having had gas connected, who does continue to be a gas consumer for six consecutive months to cover charges of shutting off the gas and removing the meter.

16. The Gas Company shall have the right to cut off gas temporarily from its mains and pipes for the purpose of repairs or extensions, or while repairs or extensions are being made; and to make all reasonable and needful rules and regulations for safeguarding the conduct of its business, collecting all revenue, prevention of waste in the conduct and management of its business, by consumers or others, and to amend and change such rules and regulations from time to time; and at the request of the Gas Company the Council of the corporation shall enact such by-laws, rules and regulations as may be deemed just by the Council to protect the Company and its works and property from damage, imposition and fraud, and to prevent unnecessary waste.

17. The prices for artificial gas hereinbefore set out are based on gas oil at ten cents per gallon, delivered at the plant of the Gas Company, and coke at \$11.00 per ton delivered in its shed. If at any time the price of gas oil shall increase over the above price, one cent per gallon, or the price of coke shall increase over the said price \$1.00 per ton, the Gas Company shall have the right to raise the price of artificial gas by five cents per thousand cubic feet for each such increase in the price of gas oil or coke; and if the price of gas oil shall decrease one cent per gallon, or coke shall decrease \$1.00 per ton below the respective prices therefor above quoted, the Council of the corporation, on notice to the Gas Company, and after hearing its representations in the matter, may by resolution, order a decrease in the price of artificial gas of five cents per thousand cubic feet for each such decrease in the price of gas oil or coke and such decrease shall take effect on the first day of the first month next after the passing of such resolution, the corporation to have the right to inspect the books of the Gas Company to satisfy itself as to the increase in price of gas oil or coke being bona fide.

18. The parties of the first part having assigned to the Gas Company all their right, title and interest in the said proposal dated the 22nd day of August, 1922, and any and all advantage therein vested in them by reason of the premises hereby consent to this agreement being entered into

between the parties of the second and third parts, and release the said parties from all claims arising under anything in this agreement.

19. This agreement and all the terms and conditions thereof shall enure to the benefit of and include and be binding upon, not only the parties of the second and third parts, but upon their respective successors and assigns.

In witness whereof, the parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED  
in the presence of  
P. T. ROWLAND

T. J. WILCOX,  
F. W. FREESE,  
Seal  
Seal  
The Corporation of the City of  
Sault Ste. Marie.

JAMES DAWSON,  
*Mayor.*

R. G. CAMPBELL,  
*Clerk.*





No. 37.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of Sault Ste.  
Marie.

1st Reading,	6th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private  
Bills Committee.)*

MR. CUNNINGHAM.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of London.

**W**HEREAS the Corporation of the City of London has, Preamble.  
by its petition, prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedi-  
ent to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. This Act may be cited as *The City of London Act, 1923*. Short title.

2. The Corporation of the City of London may pass a Authority to amend by-laws Nos. 6362 and 6677, City of London.  
by-law or by-laws to amend by-law number 6362 of the  
Corporation of the City of London, passed on the fourth  
day of April, A.D. 1921, to authorize the construction of  
sanitary sewers on Richmond Street from Sherwood Avenue  
to Huron Street; Huron Street, from St. George Street to  
Richmond Street; St. George Street, from Huron Street to  
Victoria Street; Regent Street, from St. George Street to  
four hundred and sixty feet east of Richmond Street, as a  
local improvement, under *The Local Improvement Act*, and Rev. Stat. 1914, c. 193.  
by-law number 6677, passed on the sixth day of March,  
A.D. 1922, to provide for borrowing \$31,907.44 upon debentures to pay for the construction of tile sewer on Richmond Street, from Sherwood Street to Huron Street and on sundry streets, as a local improvement, by extending the time for payment by the property owners for the work authorized by the said by-law number 6362, to twenty years, and by extending the term of the debentures to be issued under the said by-law number 6677, in respect of the work authorized by said by-law number 6362, from ten to twenty years, and by making such other amendments as may be necessary or expedient to carry out the objects aforesaid.

3. By-laws numbers 6362 and 6677 mentioned in the Amended by-laws declared valid.  
next preceding section hereof, when amended as provided  
for by the next preceding section hereof, shall be legal, valid

and binding upon the Corporation of the City of London, and upon the property liable for the rates imposed by, or under the authority of, the said by-laws, and the validity of the said by-laws when amended as aforesaid, and of every such debenture, shall not thereafter be open to question in any court.

Sale of  
site and  
erection of  
city hall.

**4.** The Corporation of the City of London may, without obtaining the assent of the electors sell, at such price and on such terms as the council of the corporation may deem expedient, that part of lot number one on the north side of East Dundas Street, in the said City of London, which was purchased by the said corporation from W. M. Spencer, Esquire, for a site for a city hall, and may convey the same to the purchaser or purchasers thereof, and may apply the proceeds of the sale thereof towards the erection of a city hall upon the site on the south side of Dundas Street and west side of Wellington Street, purchased by the said corporation from the McCormick Manufacturing Company, Limited, for the purpose of erecting thereon a city hall.

Sale of  
described  
lands and  
application  
of proceeds  
to erection  
of city hall.

**5.** The Corporation of the City of London may, without obtaining the assent of the electors sell, at such prices and on such terms as the council of the corporation may deem expedient, all those portions of the lands in the said City of London, in the block bounded on the north by Dundas Street, on the east by Waterloo Street, on the south by King Street, and on the west by Wellington Street, purchased by the said corporation, save and except that portion thereof purchased by the said corporation from the said The McCormick Manufacturing Company, Limited, and may apply the proceeds of the sale thereof towards the erection of a city hall upon the said site on the south side of Dundas Street and west side of Wellington Street, purchased by the said corporation from The McCormick Manufacturing Company, Limited, for the purpose of erecting thereon a city hall.

Authority  
for Public  
Utilities  
Commission  
to enter  
into  
agreement  
with  
amusement  
company.

**6.** The Public Utilities Commission of the City of London may, with the consent and approval of the council of the Corporation of the City of London, enter into a contract or contracts, with an amusement company or companies, for a term of from five to ten years as the said commission may deem expedient, and may grant to such company or companies such privileges, in Springbank Park, in the Township of Westminster, in the County of Middlesex, owned by the said corporation, as the said commission may deem expedient, and upon such terms and conditions as the said commission may deem expedient.



7. The directors of the Western Fair Association may issue debentures to an amount not exceeding \$180,000, and may apply the proceeds of the sale thereof in the purchase of additional lands in the said City of London, for the use of the Western Fair, and in the erection, upon part of the Western Fair grounds, in the said City of London owned by the Corporation of the City of London, of a manufacturers building for the said fair.

Authority to  
Western  
Fair  
Association  
to borrow  
\$180,000  
on  
debentures.

8. The debentures mentioned in the next preceding section hereof may be issued for such term of years, not exceeding fifteen years, and may bear such rate of interest, not exceeding six per cent. per annum, as the directors of the said Western Fair Association may deem expedient.

Term and  
interest  
rate of  
debentures.

9. The Corporation of the City of London may, without obtaining the assent of the electors, guarantee the debentures, mentioned in the next two preceding sections hereof, to such an amount, not exceeding the said sum of \$180,000, as the council of the said corporation may deem expedient.

Guarantee  
of  
debentures  
by city.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

No. 38.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of  
London.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Private Bill.)*

MR. STEVENSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to incorporate the Toronto Young Men's Christian Association.

**W**HEREAS the Toronto Young Men's Christian Association incorporated by the Act passed in the thirty-first year of the reign of Her late Majesty Queen Victoria, chaptered 59, and the Toronto West End Young Men's Christian Association incorporated by the Act passed in the ninth year of the reign of His late Majesty King Edward the Seventh, chaptered 160, have by their petition represented that the said two associations have agreed to unite and form one body under the name of the Toronto Young Men's Christian Association and have prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Toronto Young Men's Christian Association Act, 1923.* Short title.

**2.** G. Herbert Wood, W. J. Lind, A. J. Mitchell, Thomas Bradshaw, L. A. Winter, Charles Bauckham, C. L. Burton, J. W. Brandon, F. J. Coombs, F. S. Corrigan, William Craig, Rev. S. W. Fallis, William Garside, J. J. Gartshore, G. M. Grant, J. W. Gibson, A. R. Greene, L. L. Grabill, R. E. Gunther, George Hambly, John Henderson, R. G. Kirby, Clarence A. Kemp, K. A. Maciver, Andrew MacMillin, Morden Neilson, H. M. Peacock, W. H. Scott, W. H. Shapley, Alex. Shaw, Dr. Wallace Seccombe, John A. Tory, G. A. Warburton, John Westren, E. R. Wood and such other persons as are now members of the said Toronto Young Men's Christian Association or the Toronto West End Young Men's Christian Association and also all others who shall hereafter become members of the united corporate body hereby created are hereby constituted a body corporate and politic under the name of the Toronto Young Men's Christian Association, hereinafter referred to as the "Association." Incorporation.

Vesting of  
property.

**3.** All property real and personal belonging to or held in trust for the Toronto Young Men's Christian Association and the Toronto West End Young Men's Christian Association or either of them shall henceforth be vested in the association to be held, used and administered subject to the provisions of this Act in accordance with the constitution and by-laws adopted by the said two uniting bodies as the same may be added to or repealed according to the provisions of the said constitution and by-laws.

Property  
liable for  
existing  
debts.

**4.** All property vested by this Act in the association shall remain liable for the payment or satisfaction of any debts or obligations heretofore contracted or incurred in respect thereto to the same extent as it would have been liable therefor had this Act not been passed.

Power to  
acquire and  
dispose of  
real estate.

**5.** The said association shall have power to acquire and hold in the City of Toronto and the vicinity thereof any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes. Provided that no land at any time acquired by the association and not required for its actual use and occupation or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Proviso.

Constitution  
and  
by-laws.

**6.** The constitution and by-laws as passed by the existing metropolitan board of directors and approved by the directors of the Toronto West End Young Men's Christian Association are hereby declared to be the constitution and by-laws of the said association but they or any of them may be added to, amended, or repealed and others substituted therefor, as provided in the said constitution and by-laws and in accordance with the terms of this Act.

Officers.

**7.** The officers of the metropolitan board of directors of the Toronto Young Men's Christian Association at the time of the passing of this Act shall be the officers of the said association and shall retain their respective offices until others shall be elected in their places, under the constitution and by-laws of the association. The said metropolitan board of directors being the persons enumerated in section 1 shall be the first board of governors under said constitution and by-laws of the association until a new

board is elected under the provisions thereof. The board of directors of the Toronto West End Young Men's Christian Association, the committee of management and the respective officers of the various branch associations now in existence shall be continued in office under the provisions of said constitution and by-laws until their successors in office are duly elected or appointed under the provisions thereof.

8. The object of the said association shall be the spiritual, mental, social and physical improvement of young men and boys by the maintenance and support of meetings, lectures, reading and recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the City of Toronto and the vicinity thereof. Object of association.

9. The said association shall have power to establish a system of technical education, including such branches of science and development of such of the industrial or other lines of education as the board of governors of the said association may from time to time determine. Technical education.

10. The buildings, lands, equipment and undertaking of the said association so long as and to the extent to which they are occupied by, used and carried on for the purposes of the said association are declared to be exempted from taxation except for local improvements. Exemption from taxation.

11. The said association shall have power to borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property real or personal as security for any loan. Borrowing.

12. The association shall have power to establish an endowment fund or funds for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of governors. Endowment fund.

13. The said Association shall have power to lend money upon the security of real estate and to invest and re-invest any of its funds and moneys in any debentures of municipal or public school districts or corporations, Dominion or Provincial debentures, bonds, stocks, or in Dominion or Provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any Loaning.

province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

1867, c. 59;  
1890, c. 147;  
1909, c. 160,  
repealed. **14.** The Acts passed in the thirty-first and fifty-third years of the reign of Her late Majesty Queen Victoria, chaptered 59 and 147 respectively, and the Act passed in the ninth year of the reign of His late Majesty King Edward the Seventh, chaptered 160, are hereby repealed.

Commence-  
ment of Act. **15.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.









4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate the Toronto Young  
Men's Christian Association.

1st Reading,	1923.
2nd Reading,	1923
3rd Reading,	1923.

(*Private Bill*).

MR. THOMPSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Corporations of the City of Kingston and the Village of Portsmouth and the Kingston, Portsmouth and Cataraqui Electric Railway Company.

**W**HEREAS the Corporation of the City of Kingston and Preamble.  
the Corporation of the Village of Portsmouth have by petition represented that certain agreements were entered into between the said corporations and the Kingston, Portsmouth and Cataraqui Electric Railway Company, fixing the fares and charges which the said company could charge and collect; and whereas the said company has represented that the fares fixed by the said agreements have become inadequate; and whereas the councils of the said corporations believe that the requests made by the said company to be allowed to increase the fares are reasonable and should be granted; and whereas the said corporations have passed the by-laws set out in schedules "A" and "B" hereto varying the said agreements to authorize the collection of fares and charges as detailed in the said by-laws; and whereas it is desirable that the said by-laws should be ratified and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Kingston, Portsmouth and Cataraqui Electric Railway Company Act, 1923.* Short title.

2.—(1) By-law number 40 of the City of Kingston, passed By-laws, 40, Kingston;  
on the 9th day of August, 1922, and by-law number 403 of the 403, Portsmouth, confirmed.  
Village of Portsmouth, passed on the 24th day of August, 1922, set forth in schedules "A" and "B" hereto respectively authorizing the collection by the Kingston, Portsmouth and Cataraqui Electric Railway Company of increased fares and

charges as therein set forth are hereby ratified and confirmed and declared to be legal, valid, and binding upon the said corporations, and the ratepayers thereof and upon the said company.

Collection  
of increased  
fares.

(2) The right of the said company to collect such increased fares and charges shall be subject to the performance by the company of the terms and conditions set out in the said by-laws.

Commence-  
ment of  
Act.

3. This Act shall come in force and take effect on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

BY-LAW No. 40, 1922.

A by-law to alter the agreement with the Kingston, Portsmouth and Cataraqui Electric Railway Company relating to fares to be charged.

Passed the 9th day of August, 1922.

Whereas by an agreement entered into between the Corporation of the City of Kingston and the Kingston, Portsmouth and Cataraqui Electric Railway Company, dated the 22nd day of May, 1916, certain fares and charges were established which the said Company could exact and make;

And whereas the said Company have represented that said fares and charges have become inadequate, and asked to be allowed to change and increase the same;

And whereas this Council believes the request is reasonable;

Therefore be it enacted by the Municipal Council of the City of Kingston as follows:—

1. That the said agreement be altered by the substitution of the following paragraph one of said agreement and that the said Company hereafter be entitled to charge and collect the following fares and charges:—

*Paragraph 1.—*

"The Company may collect from every person on entering any of its cars, for riding any distance on its railway in the same continuous route, between 6.30 a.m. and 10.30 p.m., a sum not exceeding seven cents, and between the hours of 10.30 p.m. and 6.30 a.m. a sum not exceeding ten cents (except children under five years of age accompanied by a parent or other person having them in charge, which children shall ride free, provided they do not occupy seats). The Company shall also issue regular tickets four for twenty-five cents, which shall be good between the said hours of 6.30 a.m. and 10.30 p.m. The Company shall grant transfers without additional charge for all continuous trips which are not returns, and shall issue workmen's tickets at six for 25 cents, good during the following hours, namely, 6.30 to 7.59 a.m. and 5.00 to 6.30 p.m., and shall give to children between five and twelve years of age eight children's tickets for 25 cents, and also carry free of charge all police constables in uniform, and all city detectives wearing badges, and no conductor shall collect a higher fare than is allowed by this agreement. The Company may also charge a reasonable compensation, to be approved of by the City Council by by-law, for carrying packages and bundles as common carriers; but no extra charge shall be made for any valise, satchel, market basket or parcel of reasonable size carried by any passenger. These provisions are to supersede the provisions contained in subsection (d) and (n) of section 16 of the agreement of May 9th, 1893, and all other provisions as to fares and transfers and as to charges for carrying packages and bundles and for free transportation of certain persons on the Company's cars in existing agreements heretofore made between the said parties."

(Sgd.) S. S. CORBETT, *Mayor*.

W. W. SANDS, *City Clerk*.

(L.S.)

I hereby certify that the above and attached page marked Schedule "A" are true copies of the original by-law number 40, 1922, of the City of Kingston.

(Sgd.) W. W. SANDS, *City Clerk*.

## SCHEDULE "B"

BY-LAW No. 403, 1922.

A by-law to alter the agreement with the Kingston, Portsmouth and Cataraqui Electric Railway Company relating to the fares to be charged.

Passed the 24th day of August, 1922.

Whereas by an agreement entered into between the Corporation of the Village of Portsmouth and the Kingston, Portsmouth and Cataraqui Electric Railway Company, dated March 13th, 1894; 7th August, 1916, certain fares and charges were established which the said Company could exact and make.

And whereas the said Company have represented that said fares and charges have become inadequate and asked to be allowed to change and increase the same:—

And whereas this Council believe the request is reasonable:—

Therefore be it enacted by the Municipal Council of the Corporation of the Village of Portsmouth, as follows:—

1. That the said agreement be altered by the substitution of the following for paragraph one of said agreement and that the said Company hereafter be entitled to charge and collect the following fares and charges:—

*Paragraph 1.*

"The Company may collect from every person on entering any of its cars, for riding any distance on its railway, including the portion of its railway constructed in the City of Kingston, in the same continuous route, between 6.30 a.m. and 10.30 p.m., a sum not exceeding seven cents and between the hours of 10.30 p.m. and 6.30 a.m., a sum not exceeding ten cents (except children under five years of age accompanied by a parent or other person having them in charge, which children shall ride free provided they do not occupy seats). The Company shall also issue regular tickets four for twenty-five cents, which shall be good between the said hours of 6.30 a.m. and 10.30 p.m. The Company shall grant transfers without additional charge for all continuous trips which are not returns and shall issue workmen's tickets at six for 25 cents, good during the following hours, namely, 6.30 to 7.59 a.m. and 5.00 to 6.30 p.m. and shall give to children between five and twelve years of age eight children's tickets for 25 cents, and also carry free of charge all police constables in uniform, and all city detectives wearing badges and no conductor shall collect a higher fare than is allowed by this agreement. The Company may also charge a reasonable compensation, to be approved of by the Village Council by by-law, for carrying packages and bundles as common carriers; but no extra charge shall be made for any valise, satchel, market basket or parcel of reasonable size carried by any passenger. These provisions are to supersede all the previous conflicting provisions contained in any agreement and all other provisions as to fares and transfers and as to charges for carrying packages and bundles and for free transportation of certain persons on the Company's cars in existing agreements heretofore made between the said parties."

(Sgd.) JAMES HALLIDAY, *Reeve.*

(Sgd.) JAMES SCALLY, *Clerk.*

(L.S.)

I hereby certify that the above and attached page marked Schedule "B" are true copies of the original by-law number 403, 1922, of the Village of Portsmouth.

(Sgd.) JAMES SCALLY, *Clerk.*









No. 40.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Corporations of the  
City of Kingston and the Village of  
Portsmouth and the Kingston,  
Portsmouth and Cataraqui  
Electric Railway  
Company.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. NICKLE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of St. Catharines.

**W**HEREAS the Corporation of the City of St. Catharines has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition. Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The City of St. Catharines Act*, Short title.  
1923.

**2.** By-law number 3459 of the Corporation of the City of St. Catharines, set forth in full in Schedule 1 to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law No. 3459, St. Catharines, confirmed.

**3.** By-law number 3460 of the Corporation of the City of St. Catharines and the agreement therein referred to, both of which are set forth in full in Schedule 2 to this Act, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Dent Griffin, Limited, its successors and assigns; and notwithstanding the provisions of clause *b* of section 396 of *The Consolidated Municipal Act, 1922*, By-law No. 3460, St. Catharines, and agreement with Dent Griffin, Limited, confirmed. 1922, c. 72.

**4.** By-law number 3463 of the Corporation of the City of St. Catharines, set forth in full in Schedule 3 to this Act, is hereby ratified and confirmed and declared to be legal and valid, notwithstanding the provisions of clauses *b* and *e* of section 396 of *The Consolidated Municipal Act, 1922*, except in so far as said clause *e* relates to taxation for school purposes. By-law No. 3463, St. Catharines, confirmed.

**5.** Subsection 2 of section 3 of *The City of St. Catharines Act, 1922*, is hereby repealed. 1922, c. 128, repealed.

SCHEDULE 1.  
CITY OF ST. CATHARINES  
BY-LAW No. 3459.

A By-law to grant a fixed assessment for the Alexandra Hall for a period of ten years.

Whereas the Women's Christian Temperance Union of St. Catharines has applied to the council for a fixed assessment in respect of the Alexandra Hall, situate on Ontario Street in the City of St. Catharines, at the sum of Five Thousand Dollars for all purposes, except school purposes and local improvements, for a period of ten years from the first day of January, 1923.

And whereas, subject to the assent of the electors and such other approval as may be requisite, it is deemed expedient to grant such application.

Therefore, the council of the Corporation of the City of St. Catharines enacts as follows:

1. That the assessment of the lands and premises of the Women's Christian Temperance Union of St. Catharines, known as Alexandra Hall situate on the westerly side of Ontario Street, being composed of part of lot number 63 having a frontage on said street of 100 feet with a depth of 150 feet, together with all buildings erected or to be erected thereon, shall, save and except for school purposes and local improvements, be and is hereby fixed at the sum of Five Thousand Dollars for a period of ten years from and including the first day of January, 1923, and the said lands and premises shall be partially exempt from municipal taxation, save as aforesaid, to the extent and amount of all the assessed value thereof over and above the said sum of Five Thousand Dollars.

2. Notwithstanding the said partial exemption from taxation granted by this by-law, the said lands and premises shall during the said period of ten years be annually assessed in the same manner as if this by-law had not been passed, and the taxes rated thereon shall be duly entered in the collector's roll from year to year, but such taxes save and except as aforesaid shall not during any year of the said period of ten years, be collected on any greater part of the said assessment than Five Thousand Dollars so long as the said lands and premises are owned, occupied and used by the Women's Christian Temperance Union of St. Catharines, for the ordinary and usual purposes of the Alexandra Hall, and not for other purposes; and in the event of the same or any part thereof being sold or otherwise disposed of or otherwise used or occupied, then the partial exemption from taxation hereby granted shall forthwith cease and determine and the whole of the taxes upon the said lands and premises shall thereafter become due and payable and may be collected as if this by-law had not been passed.

3. This by-law shall not come into force or take any effect until assented to by a majority of the electors of the City of St. Catharines qualified to vote on money by-laws who vote thereon, and until it receives such other assent as may be requisite.

Passed this 22nd day of January, 1923.

[SEAL]

H. E. ROSE,  
*Acting Mayor.*  
J. ALBERT PAY,  
*Clerk.*

This is to certify that the foregoing is a true and correct copy of original by-law number 3459 of the City of St. Catharines.

J. ALBERT PAY,  
*City Clerk.*

SCHEDULE 2.  
CITY OF ST. CATHARINES  
By-Law No. 3460

A By-law to grant a fixed assessment to Dent Griffin, Limited, for a period of ten years.

Whereas Dent Griffin, Limited, are acquiring certain lands and factory premises in the City of St. Catharines more particularly described in the schedule hereto and intend to carry on therein the manufacture of silk goods.

And whereas the said company has requested the council to grant a fixed assessment to it in respect of the said lands and factory premises and the business to be carried on therein at the sum of Ten Thousand Dollars for a period of ten years from the first day of January, 1923.

And whereas the said company has further agreed to enter into an agreement with the corporation respecting the carrying on of the said industry during the said period.

And whereas the council, having regard to the nature of the said industry and to the fact that same will be of benefit to the city, deems it expedient to grant the said request by way of bonus and fix the assessment of the said company in respect of the lands and premises at the sum of Ten Thousand Dollars for all purposes except for school taxes and local improvements for a period of ten years from the first day of January, 1923.

Therefore, the council of the Corporation of the City of St. Catharines enacts as follows:

1. That the assessment of the lands and factory premises of Dent Griffin, Limited, being the lands more particularly described in schedule hereto together with all buildings, plant, machinery, equipment and property of the said company thereon erected or situate and connected with or appertaining to its manufacturing business and including business assessment, but save and except for school purposes and local improvements and sewer rentals be and is hereby fixed at the sum of Ten Thousand Dollars for a period of ten years from and including the first day of January 1923, and that the said lands and premises shall be partially exempt from municipal taxation save as aforesaid to the extent and amount of all the assessed value thereof over and above the said sum of Ten Thousand Dollars.

2. That notwithstanding the said fixed assessment and partial exemption from taxation as aforesaid, the said lands and premises including business assessment shall during the said period of ten years be annually assessed in the same manner as if this by-law had not been passed and the taxes rated thereon shall be duly entered in the collector's roll from year to year during the said period.

3. The said taxes, save as aforesaid, shall not during any year of the said period be collected on any greater part of the said assessment than Ten Thousand Dollars unless the company shall have made default in the terms, provisoes and stipulations of an agreement to be entered into by the company with the corporation respecting the said fixed assessment and the terms upon which the same are granted and in case of such default the whole of the taxation for the year in which such default occurs shall become due and payable and may be collected by the corporation as if this by-law had not been passed.

4. This by-law shall enure to the benefit of the said company its successors and assigns carrying on the same or similar business on the said lands and premises during the said period.

Passed this 23rd day of January, 1923.

(Sgd.) H. E. ROSE,  
*Acting Mayor.*

[SEAL]

(Sgd.) J. ALBERT PAY,  
*Clerk.*

This is to certify that the foregoing is a true and correct copy of original by-law number 3460.

J. ALBERT PAY,  
*Clerk.*

*Schedule "A."*

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of St. Catharines, and Province of Ontario, being a part of lot number 16, in the sixth concession of the Township of Grantham, in the said city, and which said parcel or tract may be more particularly described as follows: Commencing at a point in the northerly boundary of Mill Street, distant therein westerly two hundred and seventy-four and five-tenths, (274.5) feet from the westerly boundary of Phelps Street, said point being the south-west corner of a brick factory building; Thence north twenty-three degrees and twenty-six minutes west in and along the westerly face of said factory building eighty-five and ninety-five hundredths (85.95) feet to an angle therein; Thence north twenty-five degrees and thirty-nine minutes west in the westerly face of said building, fifty-eight and thirty-one hundredths (58.31) feet; Thence south forty-four degrees and five minutes west in the northerly face of the brick factory building seventy and one-tenth (70.1) feet to an angle therein; Thence south thirty-three degrees and thirty-eight minutes west in the northerly face of said building, eighty-nine and seventy-nine hundredths (89.79) feet to a point distant two inches from the westerly angle of said building; Thence south fifty-six degrees and forty-nine minutes east parallel to and distant two inches from the westerly face of said building, fifteen and sixteen hundredths (15.16) feet to a stake; Thence north thirty-three degrees and forty-one minutes east parallel to and distant two inches from the southerly face of said factory building, six and five-tenths (6.5) feet; Thence south fifty-five degrees and forty minutes east parallel to and distant two inches from the westerly face of said building, thirteen and sixty-five hundredths (13.65) feet; Thence south twenty-three degrees and fifty minutes east, forty-eight and fifteen hundredths feet to a point in the northerly boundary of Mill Street; Thence north sixty-six degrees and ten minutes east in the said last mentioned boundary, one hundred and twenty and eight-tenths (120.8) feet, more or less, to the point of commencement.

Agreement made the first day of December, one thousand nine hundred and twenty-two.

Between:

DENT GRIFFIN, LIMITED,  
(hereinafter called the Company)

of the first part,

and

THE CORPORATION OF THE CITY OF ST. CATHARINES,  
(hereinafter called the Corporation)

of the second part.

Whereas the company has applied to the council of the corporation for a fixed assessment, including business assessment, on its lands, property, buildings and plant in the said City of St. Catharines, for a period of ten years from the first day of January, 1923, at the sum of Ten Thousand Dollars (\$10,000) but exclusive of taxation for school taxes and local improvements;

And whereas subject to the approval of the qualified electors of the municipality, the said council has agreed to pass a by-law to so fix the assessment of the said company at the said sum subject to and upon the terms and conditions hereinafter expressed

Now therefore this agreement witnesseth as follows: In consideration of the granting of the said fixed assessment the company hereby covenants and agrees with the corporation.

1. That during the whole of the period of ten years from the first day of January, 1923, the company will continuously carry on its business, namely, the manufacture of silk goods at its plant on the lands hereinafter described, for and during a period of ten years from the said first day of

January, 1923, that is to say, until the first day of January, 1933, save and except for such periods of cessation or shutting down as are reasonably incident to the nature of the company's business but not exceeding altogether more than thirty days in any year, and also save and except for such periods of shutting down as shall be caused by the strikes of the company's workmen, or other circumstances beyond the control of the company.

2. That the company will constantly employ during the whole of the said period not less than fifty workmen, operatives and employees, exclusive of office staff, travellers and salaried officers of the company, and will pay out in wages to the said employees during each year of the said period the sum of not less than Forty-five Thousand Dollars (\$45,000) subject, however, to a proportionate allowance for any period in which the said business is not operated by reason of cessation, strikes or other circumstances beyond the control of the company as aforesaid.

3. The company will at all times during the said period give a preference to the residents of the said city when engaging employees for its said plant and will use its best endeavours to induce non-resident employees to become residents of the said city.

4. If at any time hereafter the corporation shall desire to pass a by-law granting a bonus in respect of a branch of industry of a similar nature to the one carried on by the Company, as evidenced by its signature hereto, hereby consents to the granting of such bonus, and no further or other consent requisite under *The Municipal Act* shall be deemed necessary therefor.

5. The company will at all times during the said period of ten years insure and keep insured its said factory and buildings, its plant, machinery, equipment and fixtures, to the full insurable value thereof, and if at any time during the said period the said factory and buildings, plant, machinery, equipment and fixtures shall be wholly or partially destroyed by fire then and in any such event and as often as the same may happen, the company shall at once proceed to rebuild and restore or repair said factory and buildings, plant, machinery, equipment and fixtures, so as to make the same available at the earliest reasonable time for the purpose of its said manufacturing business on its said property, and during such reasonable period as may be required for the purpose of rebuilding and restoring the said factory and buildings, plant, machinery, equipment and fixtures, the company shall be relieved *pro tanto* of its covenant as to the payment of wages for the year of the said period during which the said plant has not been in operation by reason of the damage caused by the fire.

6. It is agreed that the auditors of the corporation or any person or persons appointed by resolution of the council for that purpose, shall at any time during the months of January and February in each year have free access to the books of accounts, statements and by-laws of the company for the purpose of ascertaining the amount paid out in wages by the company during the year ending on the then preceding thirty-first day of December.

7. The lands of the company referred to in clause 1 hereof are described as follows:

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of St. Catharines, and Province of Ontario, being a part of lot number sixteen (16) in the sixth concession of the Township of Grantham, in the said city, and which said parcel or tract may be more particularly described as follows:

Commencing at a point in the northerly boundary of Mill Street, distant therein westerly two hundred and seventy-four and five-tenths (274.5) feet from the westerly boundary of Phelps Street, said point being the south-west corner of a brick factory building; Thence north twenty-three degrees and twenty-six minutes west in and along the westerly face of said factory building eighty-five and ninety-five hundredths (85.95) feet to an angle therein; Thence north twenty-five degrees and thirty-nine minutes west in the westerly face of said building, fifty-eight and

thirty-one hundredths (58.31) feet; Thence south forty-four degrees and five minutes west in the northerly face of the brick factory building seventy and one-tenth (70.1) feet to an angle therein; Thence south thirty-three degrees and thirty-eight minutes west in the northerly face of said building, eighty-nine and seventy-nine hundredths (89.79) feet to a point distant two inches from the westerly angle of said building; Thence south fifty-six degrees and forty-nine minutes east parallel to and distant two inches from the westerly face of said building, fifteen and sixteen hundredths (15.16) feet to a stake; Thence north thirty-three degrees and forty-one minutes east parallel to and distant two inches from the southerly face of said factory building, six and five-tenths (6.5) feet; Thence south fifty-five degrees and forty minutes east parallel to and distant two inches from the westerly face of said building, thirteen and sixty-five hundredths (13.65) feet; Thence south twenty-three degrees and fifty minutes east, forty-eight and fifteen hundredths feet to a point in the northerly boundary of Mill Street; Thence north sixty-six degrees and ten minutes east in the said last mentioned boundary, one hundred and twenty and eight-tenths (120.8) feet, more or less, to the point of commencement.

THE CORPORATION HEREBY AGREES WITH THE COMPANY  
as follows:

1. In the event of the said by-law being approved by the qualified municipal electors the council of the corporation will finally pass the same and thereafter during the said period of ten years, and during the observance and performance by the company of the terms and conditions of this agreement, the assessment of the said buildings, plant and premises of the company shall for all purposes, including business assessment, save and except and excluding taxation for school purposes and local improvements, be fixed at the sum of Ten Thousand Dollars (\$10,000) and all assessable value thereof in excess of the said sum shall, save as aforesaid, be exempt from taxation, provided always and notwithstanding the said fixed assessment and partial exemption, the company in respect of its said buildings, plant and premises and including business assessment, shall be annually assessed in the same manner as if the said by-law had not been passed and this agreement had not been entered into; and the taxes rated thereon shall be duly entered in the collector's roll from year to year, but such taxes, save as aforesaid, shall not be collected on any greater part of such assessment than Ten Thousand Dollars (\$10,000) unless the company shall have made default under the terms and conditions of this agreement or any of them; in which case, and when and so often as the said default shall occur, the whole of the taxes for the year in which such default shall occur, shall be and become due and payable and may be collected by the corporation as if the said by-law had not been passed and this agreement had not been entered into.

This agreement shall enure to the benefit of and be binding upon the successors and assigns of the parties hereto.

This agreement shall come into force and take effect from and after the final passing of the said by-law but if the said by-law shall not be finally passed, this agreement shall be void and be of no binding effect upon the parties hereto.

The company agrees to pay all expenses which may be incurred by the corporation in connection with the granting of the said fixed assessment and of the submission of the by-law to the qualified municipal electors.

As witness the corporate seal of the company and the seal of the corporation each under the hands of its own proper officers the day and year first above written.

SIGNED, SEALED AND DELIVERED,  
in the presence of:

[SEAL]

(Sgd.) J. E. PETERS,  
*Secretary.*  
[SEAL]

(Sgd.) DENT GRIFFIN, LIMITED,  
per H. P. PEARCE,  
*President.*

(Sgd.) THE CORPORATION OF THE  
CITY OF ST. CATHARINES,  
E. J. LOVELACE,  
*Mayor.*

J. ALBERT PAY,  
*City Clerk.*



## SCHEDULE 3.

CITY OF ST. CATHARINES.

By-LAW No. 3463.

A By-law to authorize the council to bonus industries by partial exemption from taxation.

Whereas under the provisions of *The Consolidated Municipal Act, 1922*, in addition to other pre-requisites, it is necessary before the council may pass a by-law to grant a bonus by way of partial exemption from taxation, for the promotion of manufactures in the municipality, that such by-law receive the assent of the electors qualified to vote on money by-laws, and that the consent in writing of any person carrying on in the municipality a similar industry to that proposed to be bonused be also obtained.

And whereas the aforesaid statutory requirements are apt to militate against the promotion of manufacturers in the City of St. Catharines, and thereby retard the industrial development of the city.

And whereas in the general interest of the city it is deemed expedient to dispense with compliance with the aforesaid statutory requirements, whenever the city council may desire to grant bonuses by way of partial exemption from taxation, for the aforesaid purposes.

Therefore, the Council of the Corporation of the City of St. Catharines (not less than three-fourths of all the members thereof voting therefor) enacts as follows:

1. The council shall be and is hereby authorized from time to time and at all times, and as and when it may be deemed expedient and desirable by the council, to pass by-laws for granting bonuses by partial exemption from municipal taxation for the promotion of manufactures in the City of St. Catharines, to such persons, and in respect of such branches of industry and on such terms and conditions, as may be deemed proper, without it being requisite that any such by-laws be submitted for or receive the assent of the electors qualified to vote thereon, and without it being necessary to obtain the consent in writing of any person carrying on in the City of St. Catharines a branch of industry of a similar nature to the one proposed to be so bonused, any statutory requirements to the contrary notwithstanding.

2. Nothing in this by-law contained shall be deemed to authorize the council to pass by-laws to grant bonuses other than as aforesaid without compliance with any statutory requirements affecting the same.

3. No bonus granted under the authority of this by-law shall apply to or affect taxation for school purposes or assessment or taxation for local improvement purposes.

4. No bonus granted under the authority of this by-law shall be for a longer period than ten years, but the same may be renewed from time to time for further periods not exceeding ten years at any one time.

5. This by-law shall not come into force or take effect unless and until the same has been assented to by the electors of the City of St. Catharines qualified to vote on money by-laws, and until the same has been ratified by the Legislative Assembly for the Province of Ontario.

Passed this 22nd day of January, 1923.

(Sgd.) H. E. ROSE,  
*Acting Mayor.*

[SEAL]

(Sgd.) J. ALBERT PAY,  
*Clerk.*

This is to certify that the foregoing is a true and correct copy of original by-law number 3463 of the City of St. Catharines.

J. ALBERT PAY,  
*City Clerk.*

No. 41.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City  
of St. Catharines.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.



*(Private Bill.)*

MR. GREENLAW.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of St. Catharines.

**W**HEREAS the Corporation of the City of St. Catharines has by its petition  represented that the by-laws hereinafter referred to as numbers 3459 and 3460, of the Corporation of the City of St. Catharines, have been submitted to the electors of the corporation for their assent in accordance with the provisions of *The Consolidated Municipal Act, 1922*; and whereas of the electors who voted on the said by-laws, more than two-thirds voted in favour thereof; and whereas the said by-laws were subsequently finally passed by the affirmative vote of three-fourths of all the members of the council of the said corporation; and whereas it is desirable that the said by-laws should be validated and confirmed; and whereas  it is expedient to grant the prayer of the said petition. Preamble

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The City of St. Catharines Act*, Short  
title.  
1923.



**2.** By-law number 3459 of the Corporation of the City of St. Catharines, set forth in full in Schedule 1 to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law No.  
3459, St.  
Catharines,  
confirmed.

**3.** By-law number 3460 of the Corporation of the City of St. Catharines and the agreement therein referred to, both of which are set forth in full in Schedule 2 to this Act, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Dent Griffin, Limited, its successors and assigns; and notwithstanding the provisions of clause b of section 396 of *The Consolidated Municipal Act, 1922*. By-law No.  
3460, St.  
Catharines,  
and agree-  
ment with  
Dent Griffin,  
Limited,  
confirmed.  
1922, c. 72.

1922, c. 128,  
repealed.

4. Subsection 2 of section 3 of *The City of St. Catharines Act, 1922*, is hereby repealed.

Commence-  
ment of Act.

 5. This Act shall come into force and take effect on the day upon which it receives the Royal Assent. 

SCHEDULE 1.  
CITY OF ST. CATHARINES  
By-Law No. 3459.

A By-law to grant a fixed assessment for the Alexandra Hall for a period of ten years.

Whereas the Women's Christian Temperance Union of St. Catharines has applied to the council for a fixed assessment in respect of the Alexandra Hall, situate on Ontario Street in the City of St. Catharines, at the sum of Five Thousand Dollars for all purposes, except school purposes and local improvements, for a period of ten years from the first day of January, 1923.

And whereas, subject to the assent of the electors and such other approval as may be requisite, it is deemed expedient to grant such application.

Therefore, the council of the Corporation of the City of St. Catharines enacts as follows:

1. That the assessment of the lands and premises of the Women's Christian Temperance Union of St. Catharines, known as Alexandra Hall situate on the westerly side of Ontario Street, being composed of part of lot number 63 having a frontage on said street of 100 feet with a depth of 150 feet, together with all buildings erected or to be erected thereon, shall, save and except for school purposes and local improvements, be and is hereby fixed at the sum of Five Thousand Dollars for a period of ten years from and including the first day of January, 1923, and the said lands and premises shall be partially exempt from municipal taxation, save as aforesaid, to the extent and amount of all the assessed value thereof over and above the said sum of Five Thousand Dollars.

2. Notwithstanding the said partial exemption from taxation granted by this by-law, the said lands and premises shall during the said period of ten years be annually assessed in the same manner as if this by-law had not been passed, and the taxes rated thereon shall be duly entered in the collector's roll from year to year, but such taxes save and except as aforesaid shall not during any year of the said period of ten years, be collected on any greater part of the said assessment than Five Thousand Dollars so long as the said lands and premises are owned, occupied and used by the Women's Christian Temperance Union of St. Catharines, for the ordinary and usual purposes of the Alexandra Hall, and not for other purposes; and in the event of the same or any part thereof being sold or otherwise disposed of or otherwise used or occupied, then the partial exemption from taxation hereby granted shall forthwith cease and determine and the whole of the taxes upon the said lands and premises shall thereafter become due and payable and may be collected as if this by-law had not been passed.

3. This by-law shall not come into force or take any effect until assented to by a majority of the electors of the City of St. Catharines qualified to vote on money by-laws who vote thereon, and until it receives such other assent as may be requisite.

Passed this 22nd day of January, 1923.

[SEAL]

H. E. ROSE,  
*Acting Mayor.*  
J. ALBERT PAY,  
*Clerk.*

This is to certify that the foregoing is a true and correct copy of original by-law number 3459 of the City of St. Catharines.

J. ALBERT PAY,  
*City Clerk.*

SCHEDULE 2.  
CITY OF ST. CATHARINES  
By-Law No. 3460

A By-law to grant a fixed assessment to Dent Griffin, Limited, for a period of ten years.

Whereas Dent Griffin, Limited, are acquiring certain lands and factory premises in the City of St. Catharines more particularly described in the schedule hereto and intend to carry on therein the manufacture of silk goods.

And whereas the said company has requested the council to grant a fixed assessment to it in respect of the said lands and factory premises and the business to be carried on therein at the sum of Ten Thousand Dollars for a period of ten years from the first day of January, 1923.

And whereas the said company has further agreed to enter into an agreement with the corporation respecting the carrying on of the said industry during the said period.

And whereas the council, having regard to the nature of the said industry and to the fact that same will be of benefit to the city, deems it expedient to grant the said request by way of bonus and fix the assessment of the said company in respect of the lands and premises at the sum of Ten Thousand Dollars for all purposes except for school taxes and local improvements for a period of ten years from the first day of January, 1923.

Therefore, the council of the Corporation of the City of St. Catharines enacts as follows:

1. That the assessment of the lands and factory premises of Dent Griffin, Limited, being the lands more particularly described in schedule hereto together with all buildings, plant, machinery, equipment and property of the said company thereon erected or situate and connected with or appertaining to its manufacturing business and including business assessment, but save and except for school purposes and local improvements and sewer rentals be and is hereby fixed at the sum of Ten Thousand Dollars for a period of ten years from and including the first day of January 1923, and that the said lands and premises shall be partially exempt from municipal taxation save as aforesaid to the extent and amount of all the assessed value thereof over and above the said sum of Ten Thousand Dollars.

2. That notwithstanding the said fixed assessment and partial exemption from taxation as aforesaid, the said lands and premises including business assessment shall during the said period of ten years be annually assessed in the same manner as if this by-law had not been passed and the taxes rated thereon shall be duly entered in the collector's roll from year to year during the said period.

3. The said taxes, save as aforesaid, shall not during any year of the said period be collected on any greater part of the said assessment than Ten Thousand Dollars unless the company shall have made default in the terms, provisoes and stipulations of an agreement to be entered into by the company with the corporation respecting the said fixed assessment and the terms upon which the same are granted and in case of such default the whole of the taxation for the year in which such default occurs shall become due and payable and may be collected by the corporation as if this by-law had not been passed.

4. This by-law shall enure to the benefit of the said company its successors and assigns carrying on the same or similar business on the said lands and premises during the said period.

Passed this 23rd day of January, 1923.

(Sgd.) H. E. ROSE,  
*Acting Mayor.*

[SEAL]

(Sgd.) J. ALBERT PAY,  
*Clerk.*

This is to certify that the foregoing is a true and correct copy of original by-law number 3460.

J. ALBERT PAY,  
*Clerk.*

*Schedule "A."*

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of St. Catharines, and Province of Ontario, being a part of lot number 16, in the sixth concession of the Township of Grantham, in the said city, and which said parcel or tract may be more particularly described as follows: Commencing at a point in the northerly boundary of Mill Street, distant therein westerly two hundred and seventy-four and five-tenths, (274.5) feet from the westerly boundary of Phelps Street, said point being the south-west corner of a brick factory building; Thence north twenty-three degrees and twenty-six minutes west in and along the westerly face of said factory building eighty-five and ninety-five hundredths (85.95) feet to an angle therein; Thence north twenty-five degrees and thirty-nine minutes west in the westerly face of said building, fifty-eight and thirty-one hundredths (58.31) feet; Thence south forty-four degrees and five minutes west in the northerly face of the brick factory building seventy and one-tenth (70.1) feet to an angle therein; Thence south thirty-three degrees and thirty-eight minutes west in the northerly face of said building, eighty-nine and seventy-nine hundredths (89.79) feet to a point distant two inches from the westerly angle of said building; Thence south fifty-six degrees and forty-nine minutes east parallel to and distant two inches from the westerly face of said building, fifteen and sixteen hundredths (15.16) feet to a stake; Thence north thirty-three degrees and forty-one minutes east parallel to and distant two inches from the southerly face of said factory building, six and five-tenths (6.5) feet; Thence south fifty-five degrees and forty minutes east parallel to and distant two inches from the westerly face of said building, thirteen and sixty-five hundredths (13.65) feet; Thence south twenty-three degrees and fifty minutes east, forty-eight and fifteen hundredths feet to a point in the northerly boundary of Mill Street; Thence north sixty-six degrees and ten minutes east in the said last mentioned boundary, one hundred and twenty and eight-tenths (120.8) feet, more or less, to the point of commencement.

Agreement made the first day of December, one thousand nine hundred and twenty-two.

Between:

DENT GRIFFIN, LIMITED,  
(hereinafter called the Company)

of the first part,

and

THE CORPORATION OF THE CITY OF ST. CATHARINES,  
(hereinafter called the Corporation)

of the second part.

Whereas the company has applied to the council of the corporation for a fixed assessment, including business assessment, on its lands, property, buildings and plant in the said City of St. Catharines, for a period of ten years from the first day of January, 1923, at the sum of Ten Thousand Dollars (\$10,000) but exclusive of taxation for school taxes and local improvements;

And whereas subject to the approval of the qualified electors of the municipality, the said council has agreed to pass a by-law to so fix the assessment of the said company at the said sum subject to and upon the terms and conditions hereinafter expressed

Now therefore this agreement witnesseth as follows: In consideration of the granting of the said fixed assessment the company hereby covenants and agrees with the corporation.

1. That during the whole of the period of ten years from the first day of January, 1923, the company will continuously carry on its business, namely, the manufacture of silk goods at its plant on the lands hereinafter described, for and during a period of ten years from the said first day of

January, 1923, that is to say, until the first day of January, 1933, save and except for such periods of cessation or shutting down as are reasonably incident to the nature of the company's business but not exceeding altogether more than thirty days in any year, and also save and except for such periods of shutting down as shall be caused by the strikes of the company's workmen, or other circumstances beyond the control of the company.

2. That the company will constantly employ during the whole of the said period not less than fifty workmen, operatives and employees, exclusive of office staff, travellers and salaried officers of the company, and will pay out in wages to the said employees during each year of the said period the sum of not less than Forty-five Thousand Dollars (\$45,000) subject, however, to a proportionate allowance for any period in which the said business is not operated by reason of cessation, strikes or other circumstances beyond the control of the company as aforesaid.

3. The company will at all times during the said period give a preference to the residents of the said city when engaging employees for its said plant and will use its best endeavours to induce non-resident employees to become residents of the said city.

4. If at any time hereafter the corporation shall desire to pass a by-law granting a bonus in respect of a branch of industry of a similar nature to the one carried on by the Company, as evidenced by its signature hereto, hereby consents to the granting of such bonus, and no further or other consent requisite under *The Municipal Act* shall be deemed necessary therefor.

5. The company will at all times during the said period of ten years insure and keep insured its said factory and buildings, its plant, machinery, equipment and fixtures, to the full insurable value thereof, and if at any time during the said period the said factory and buildings, plant, machinery, equipment and fixtures shall be wholly or partially destroyed by fire then and in any such event and as often as the same may happen, the company shall at once proceed to rebuild and restore or repair said factory and buildings, plant, machinery, equipment and fixtures, so as to make the same available at the earliest reasonable time for the purpose of its said manufacturing business on its said property, and during such reasonable period as may be required for the purpose of rebuilding and restoring the said factory and buildings, plant, machinery, equipment and fixtures, the company shall be relieved *pro tanto* of its covenant as to the payment of wages for the year of the said period during which the said plant has not been in operation by reason of the damage caused by the fire.

6. It is agreed that the auditors of the corporation or any person or persons appointed by resolution of the council for that purpose, shall at any time during the months of January and February in each year have free access to the books of accounts, statements and by-laws of the company for the purpose of ascertaining the amount paid out in wages by the company during the year ending on the then preceding thirty-first day of December.

7. The lands of the company referred to in clause 1 hereof are described as follows:

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of St. Catharines, and Province of Ontario, being a part of lot number sixteen (16) in the sixth concession of the Township of Grantham, in the said city, and which said parcel or tract may be more particularly described as follows:

Commencing at a point in the northerly boundary of Mill Street, distant therein westerly two hundred and seventy-four and five-tenths (274.5) feet from the westerly boundary of Phelps Street, said point being the south-west corner of a brick factory building; Thence north twenty-three degrees and twenty-six minutes west in and along the westerly face of said factory building eighty-five and ninety-five hundredths (85.95) feet to an angle therein; Thence north twenty-five degrees and thirty-nine minutes west in the westerly face of said building, fifty-eight and



thirty-one hundredths (58.31) feet; Thence south forty-four degrees and five minutes west in the northerly face of the brick factory building seventy and one-tenth (70.1) feet to an angle therein; Thence south thirty-three degrees and thirty-eight minutes west in the northerly face of said building, eighty-nine and seventy-nine hundredths (89.79) feet to a point distant two inches from the westerly angle of said building; Thence south fifty-six degrees and forty-nine minutes east parallel to and distant two inches from the westerly face of said building, fifteen and sixteen hundredths (15.16) feet to a stake; Thence north thirty-three degrees and forty-one minutes east parallel to and distant two inches from the southerly face of said factory building, six and five-tenths (6.5) feet; Thence south fifty-five degrees and forty minutes east parallel to and distant two inches from the westerly face of said building, thirteen and sixty-five hundredths (13.65) feet; Thence south twenty-three degrees and fifty minutes east, forty-eight and fifteen hundredths feet to a point in the northerly boundary of Mill Street; Thence north sixty-six degrees and ten minutes east in the said last mentioned boundary, one hundred and twenty and eight-tenths (120.8) feet, more or less, to the point of commencement.

THE CORPORATION HEREBY AGREES WITH THE COMPANY  
as follows:

1. In the event of the said by-law being approved by the qualified municipal electors the council of the corporation will finally pass the same and thereafter during the said period of ten years, and during the observance and performance by the company of the terms and conditions of this agreement, the assessment of the said buildings, plant and premises of the company shall for all purposes, including business assessment, save and except and excluding taxation for school purposes and local improvements, be fixed at the sum of Ten Thousand Dollars (\$10,000) and all assessable value thereof in excess of the said sum shall, save as aforesaid, be exempt from taxation, provided always and notwithstanding the said fixed assessment and partial exemption, the company in respect of its said buildings, plant and premises and including business assessment, shall be annually assessed in the same manner as if the said by-law had not been passed and this agreement had not been entered into; and the taxes rated thereon shall be duly entered in the collector's roll from year to year, but such taxes, save as aforesaid, shall not be collected on any greater part of such assessment than Ten Thousand Dollars (\$10,000) unless the company shall have made default under the terms and conditions of this agreement or any of them; in which case, and when and so often as the said default shall occur, the whole of the taxes for the year in which such default shall occur, shall be and become due and payable and may be collected by the corporation as if the said by-law had not been passed and this agreement had not been entered into.

This agreement shall enure to the benefit of and be binding upon the successors and assigns of the parties hereto.

This agreement shall come into force and take effect from and after the final passing of the said by-law but if the said by-law shall not be finally passed, this agreement shall be void and be of no binding effect upon the parties hereto.

The company agrees to pay all expenses which may be incurred by the corporation in connection with the granting of the said fixed assessment and of the submission of the by-law to the qualified municipal electors.

As witness the corporate seal of the company and the seal of the corporation each under the hands of its own proper officers the day and year first above written.

SIGNED, SEALED AND DELIVERED,  
in the presence of:

[SEAL]

(Sgd.) J. E. PETERS,  
Secretary.

[SEAL]

(Sgd.) DENT GRIFFIN, LIMITED,  
per H. P. PEARCE,  
President.

(Sgd.) THE CORPORATION OF THE  
CITY OF ST. CATHARINES,  
E. J. LOVELACE,  
Mayor.

J. ALBERT PAY,  
City Clerk.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City  
of St. Catharines.

1st Reading,	9th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private Bills  
Committee)*

MR. GREENLAW.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to consolidate the Debenture Debt of the Town of Hawkesbury.

**W**HEREAS, the Corporation of the Town of Hawkesbury has by its petition represented that the existing debenture debt of the said town (including, however, debentures amounting to the sum of \$149,130 issued as collateral security for a housing loan) amounts as shown in schedule 1 hereto to the sum of \$606,392.01, which said debt, exclusive of said housing loan, has been incurred for works of lasting and permanent improvement; that the principal and interest of the said debentures are combined and payable in equal annual instalments of which no part thereof is in arrears; and whereas, the whole rateable property of the said corporation is \$2,115,966; and whereas, it would be expedient and less burdensome upon the ratepayers of the said corporation that the said debenture debts should be consolidated, extended and dealt with as herein provided; and whereas, it is desirable to issue, sell or dispose of debentures to the amount of \$606,000 to enable the said corporation to redeem the aforesaid debentures now outstanding as they fall due; and whereas, the said corporation has by its petition prayed to be allowed to consolidate the said debenture debts and to issue new debentures for the payment of same; and whereas, it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Hawkesbury Debenture Act, 1923.* Short title.

2. The debenture debt of the Corporation of the Town of Hawkesbury is hereby consolidated, and the said corporation may pass a by-law or by-laws, without first obtaining the assent thereto of the electors qualified to vote on money by-laws, and under the terms and conditions hereinafter Debenture debt consolidated.

provided for, authorizing the issue and sale of debentures of the said corporation, to an amount not exceeding in the whole, \$606,000, or for raising by way of loan upon the credit of such debentures, from any person or body, politic or corporate, either in Canada, Great Britain, the United States of America or elsewhere, a sum not exceeding in the whole, \$606,000 of lawful money of Canada to redeem its outstanding debenture debt.

Terms, etc.,  
of  
debentures.

**3.** The debentures so to be issued shall be debentures of the said corporation and such of the said debentures as may be required to be issued from time to time in order to redeem debentures falling due may be issued in the year preceding the maturing of any of the said last mentioned debentures; and the said debentures shall be payable within forty years from the day of the date of the respective issue thereof at any place in Canada, Great Britain and the United States of America or elsewhere, and may be expressed in Sterling money of Great Britain or currency of Canada and such debentures shall be in sums of not less than \$100 Canadian currency or twenty pounds Sterling.

Form of  
debentures.

**4.** The said debentures shall be under the common seal of the said corporation and signed by the mayor and countersigned by the treasurer thereof and may be in the form of schedule 2 to this Act or in such similar form as may be convenient, according to circumstances.

Equal  
annual  
instalments  
of principal  
and  
interest.

**5.** The principal and interest to be secured by the said debentures shall be combined and be made payable in as nearly as possible equal annual instalments during the period for which the said debentures are to run. Coupons may be attached to the said debentures for the payment of the amount falling due in each year, which shall be payable on the first day of the month of December in each and every year at the place mentioned in the said debentures and in the coupons attached thereto and the interest shall be calculated at a rate to be provided by the Town of Hawkesbury and stated in the said debentures as issued from time to time, but not to be in excess of six per centum per annum.

Application  
of  
proceeds.

**6.** The said debentures and any proceeds thereof shall be applied by the said corporation in the redemption of the existing debenture debt of the said corporation and for no other purpose whatsoever.

Special  
rates.

**7.** The said corporation shall levy, raise and collect in each year during the currency of the said debentures upon the whole of the rateable or assessable property of the said town, in addition to all other rates, a special rate of so much

on the dollar as shall be required to provide for the annual instalments of combined principal and interest falling due on said debentures until the whole of the combined principal and interest of the said debentures shall have become due and be fully paid and satisfied.

**8.** Any by-law of the said corporation passed under the authority of this Act shall not require the assent of the electors qualified to vote on money by-laws before the final passage thereof. Assent of electors not required.

**9.** Any by-law of the said town providing for the issue, sale or exchange of the said debentures mentioned herein, when passed, and any debentures to be issued thereunder, shall be legal, valid and binding. By-laws and debentures declared valid.

**10.** The corporation may by by-law authorize the exchange of the debentures of the said town already issued and specified in schedule 1 hereto for the debentures herein authorized to be issued upon such terms as may be agreed upon between the corporation and the holders of such debentures. Exchange of debentures.

**11.** No irregularity in form of the said debentures or of the by-laws authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof, and the said debentures when once issued and disposed of shall be a legal and binding debt against the said municipality. Irregularity in form not to invalidate.

**12.** The said corporation shall have the right at its option to redeem before maturity any of the debentures issued under the provisions of this Act, upon paying to the holder thereof the principal remaining unpaid at the time, together with a premium or bonus of three per cent., of the amount thereof. Debentures so to be redeemed shall be selected by the treasurer of the said corporation by lot and by the numbers of the said debentures without reference to the names of the holders or owners thereof, if known. Notice of intention to so redeem any such bonds shall be given by publication in at least one daily newspaper published in the City of Toronto, in the Province of Ontario, at least once each week for a period of sixty days preceding the redemption date fixed in such notice, which notice shall state the numbers of the debentures so called for redemption and shall state that in case such debentures are not presented for redemption on the date specified in said notice, all right to claim more than the amount of the unpaid principal thereof together with a premium or bonus of three per cent. thereof shall cease from and after Redemption before maturity.

the said date. In case any of the said bonds are registered, a similar notice of intention to redeem shall be sent by the said corporation to the registered holder of each registered debenture so called for redemption, which notice shall be given by registered letter addressed to such holder at the address appearing upon the register hereinbefore named, such letter shall be mailed not less than sixty days prior to the date fixed for redemption, and after the expiration of the said period of sixty days, whether named in the said publication or in the said letter, the right to claim any amount, further than that above set out, shall cease from and after the said date.

## SCHEDULE 1.

No.	Nature and Purpose.	Amount.
26.	Canada Atlantic Railway..... Debentures	\$905 47
66.	Street Improvement .....	1,415 12
67.	Sewer.....	26,850 85
68.	Waterworks.....	50,661 89
126.	Street Improvement .....	2,571 77
139.	Outstanding floating indebtedness .....	12,861 46
159.	Outstanding floating indebtedness .....	5,840 37
242.	Local Improvement Pavement .....	2,469 60
278.	Filtration Plant .....	73,899 28
279.	Sewer.....	30,711 40
290.	Street Improvement .....	89,679 97
306.	Factory.....	13,388 79
313.	Sewer and Waterworks.....	63,306 31
357.	Local Improvement Riordan Annex.....	44,220 00
362.	Local Improvement Pavement .....	38,479 73
Total.....		457,262 01
298.	Riordan Annex Loan Debentures (Collateral Security only held by Muni- cipal Board for Housing Loan).....	149,130 00
		\$606,392 01

## SCHEDULE 2.

## DEBENTURE

PROVINCE OF ONTARIO,  
TOWN OF HAWKESBURY.

Under and by virtue of *The Town of Hawkesbury Debenture Act, 1923*, and by-law number \_\_\_\_\_ of the Corporation of the Town of Hawkesbury passed under the provisions contained in the said Act, the Corporation of the said Town of Hawkesbury promised to pay to the bearer the sum of \_\_\_\_\_ lawful money of Canada (or pounds sterling as the case may be) together with interest thereon at the rate of \_\_\_\_\_ per cent., per annum, the said sum and interest to be paid in annual instalments of combined principal and interest, one of which shall be payable on the first day of December in each and every year from and after the date of this debenture, such payment to be made at \_\_\_\_\_ or at the office of the treasurer of the said Town of Hawkesbury at the holder's option to the bearer or bearers of the annexed coupons upon presentation and surrender thereof at the said Bank or at the said office, as the same severally become due.

This debenture shall not be transferable after a certificate of ownership has been endorsed thereon by the treasurer of the said corporation, except by entry by the said treasurer or his deputy in a book to be kept for that purpose in his office.

This debenture is issued subject to the provision for the redemption of debentures set out in the said Act.

Dated at the Town of Hawkesbury this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

In testimony whereof and under the authority of the Act aforesaid, this debenture is sealed with the Seal of the said Corporation and signed by the Mayor and Treasurer thereof.

Mayor.

Treasurer.







No. 42.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to consolidate the Debenture Debt  
of the Town of Hawkesbury.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. EVANTUREL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to consolidate the Debenture Debt of the Town of Hawkesbury.

**W**HEREAS, the Corporation of the Town of Hawkesbury has by its petition represented that the existing debenture debt of the said town amounts to the sum of ~~£~~\$372,092.68 exclusive of local improvements and debentures issued as collateral security for a housing loan ~~and~~ which said debt has been incurred for works of a permanent character; that the principal and interest of the said debentures *amounting to \$372,092.68* are combined and payable in equal annual instalments of which no part thereof is in arrears; and whereas, the whole rateable property of the said corporation is \$2,115,966; and whereas, it would be expedient and less burdensome upon the ratepayers of the said corporation that the said debenture debts should be consolidated, extended and dealt with as herein provided; and whereas, it is desirable to issue, sell or dispose of debentures to the amount of \$372,-092.68 to enable the said corporation to redeem the aforesaid debentures now outstanding as they fall due; and whereas, the said corporation has by its petition prayed to be allowed to consolidate the said debenture debts and to issue new debentures for the payment of same; and whereas, it is expedient to grant the prayer of the said petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Hawkesbury Debenture Act, 1923.* <sup>Short title.</sup>

2. The debenture debt of the Corporation of the Town of Hawkesbury *as set out in the schedule hereto* is hereby consolidated, and the said corporation may pass a by-law or by-laws, without first obtaining the assent thereto of the electors qualified to vote on money by-laws, and under the terms and conditions hereinafter provided for, authorizing the issue <sup>Debt consolidated</sup>

and sale of debentures of the said corporation, to an amount not exceeding in the whole, \$372,092.68, or for raising by way of loan upon the credit of such debentures, from any person or body, politic or corporate, either in Canada, Great Britain, the United States of America or elsewhere, a sum not exceeding in the whole, \$372,092.68 of lawful money of Canada to redeem its outstanding debenture debt.

Terms, etc.,  
of  
debentures.

3. The debentures so to be issued shall be debentures of the said corporation and such of the said debentures as may be required to be issued from time to time in order to redeem debentures falling due may be issued in the year preceding the maturing of any of the said last mentioned debentures; and the said debentures shall be payable within *twenty* years from the day of the date of the respective issue thereof at any place in Canada, Great Britain and the United States of America or elsewhere, and may be expressed in Sterling money of Great Britain or currency of Canada and such debentures shall be in sums of not less than \$100 Canadian currency or twenty pounds Sterling.

Form of  
debentures.

4. The said debentures shall be under the common seal of the said corporation and signed by the mayor and countersigned by the treasurer thereof.

Equal  
annual  
instalments  
of principal  
and  
interest.

5. The principal and interest to be secured by the said debentures shall be combined and be made payable in as nearly as possible equal annual instalments during the period for which the said debentures are to run. Coupons may be attached to the said debentures for the payment of the amount falling due in each year, which shall be payable at the place mentioned in the said debentures and in the coupons attached thereto and *said debentures shall bear interest at a rate not exceeding six per centum per annum.*

Application  
of  
proceeds.

6. The said debentures and any proceeds thereof shall be applied by the said corporation in the redemption of the existing debenture debt of the said corporation *as set out in the schedule hereto* and for no other purpose whatsoever.

special  
rates.

7. The said corporation shall levy, raise and collect in each year during the currency of the said debentures upon the whole of the rateable or assessable property of the said town, in addition to all other rates, a special rate of so much on the dollar as shall be required to provide for the annual instalments of combined principal and interest falling due on said debentures until the whole of the combined principal and interest of the said debentures shall have become due and be fully paid and satisfied.

8. Any by-law of the said town providing for the issue <sup>By-laws and debentures declared valid.</sup> and sale of the said debentures mentioned herein, when passed, and any debentures to be issued thereunder, shall be legal, valid and binding.

9. No irregularity in form of the said debentures or of the <sup>Irregularity in form not to invalidate.</sup> by-laws authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof, and the said debentures when once issued and disposed of shall be a legal and binding debt against the said municipality.

## SCHEDULE

No.	Nature and Purpose.	Amount.
26.	Canada Atlantic Railway.....Debentures	\$ 905 47
66.	Street Improvement....."	1,415 12
67.	Sewer....."	26,850 85
68.	Waterworks....."	50,661 89
126.	Street Improvement....."	2,571 77
139.	Outstanding floating indebtedness....."	12,861 46
159.	Outstanding floating indebtedness....."	5,840 37
278.	Filtration Plant....."	73,899 28
279.	Sewer....."	30,711 40
290.	Street Improvement....."	89,679 97
306.	Factory....."	13,388 79
313.	Sewer and Waterworks....."	63,306 31
Total.....		<hr/> 372,092 68









No. 42.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to consolidate the Debenture Debt  
of the Town of Hawkesbury.

1st Reading,	2nd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private  
Bills Committee.)*

MR. EVANTUREL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Synod of the Evangelical Lutheran Church of Canada.

**W**HEREAS the Evangelical Lutheran Synod of Canada Preamble has by its petition represented that it has existed since the year 1861; that it was incorporated by an Act of the Parliament of Canada passed in the 48th and 49th years of the reign of Her late Majesty Queen Victoria, chaptered 32, intituled "An Act to incorporate the Synod of the Evangelical Lutheran Church of Canada"; that it would tend to advance the usefulness of the said Synod and to promote the purpose for which it was incorporated if the provisions of the said Act of the Parliament of Canada were declared to be and to have been in force in the Province of Ontario since the passing of such Act; and that certain other powers should be conferred upon the said Synod; and whereas the said Synod has prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Lutheran Church* Short title.  
*Act, 1923.*

**2.** So far as the Legislature of Ontario has authority to Provisions,  
1885, c. 32  
(Canada)  
declared in  
force enact, all the provisions of the Act of the Parliament of Canada, passed in the forty-eighth and forty-ninth years of the reign of Her late Majesty Queen Victoria, chaptered 32, intituled "An Act to incorporate the Synod of the Evangelical Lutheran Church of Canada," are hereby declared to be and to have been in force in the Province of Ontario since the first day of May, 1885.

**3.** The Evangelical Lutheran Synod of Canada may Powers. establish, maintain and carry on churches, missions, schools, colleges, theological seminaries, hospitals, cemeteries, insti-

tutions of charity and places of recreation, and the businesses of printing and publishing in furtherance of the lawful objects of the said Synod, and may establish and maintain a home or homes for any person or persons, and may undertake, maintain and carry on any other business to further the objects of the Evangelical Lutheran Church of Canada, and may extend their undertaking by taking into membership such churches or groups of churches as may from time to time desire to become united with the said Evangelical Lutheran Church of Canada, and for the purposes aforesaid may contribute to, assist or co-operate with any other Christian religious body or institution.

Authority  
to pass  
by-laws.

4.—(1) The said Synod may from time to time make by-laws not contrary to law nor inconsistent with this Act for:

- (a) The administration, management and control of the property, affairs and business of the Evangelical Lutheran Church of Canada;
- (b) Regulations for enforcing discipline in the Evangelical Lutheran Church of Canada and for the appointment, deposition, deprivation or removal of any person or persons bearing office therein;
- (c) The training, qualifications, ordination and calling of the ministers of the Evangelical Lutheran Church of Canada;
- (d) The solemnization of marriage according to the forms of the Evangelical Lutheran Church of Canada;
- (e) The functions, duties and election of all officers, agents and servants of the said Synod;
- (f) The appointment of committees and their duties;
- (g) The calling of meetings, regular or special of the said Synod or of committees;
- (h) The fixing of the necessary quorum and procedure in all things at such meetings;
- (i) Generally for the carrying out of the objects and purposes of the said Synod.

(2) A copy of any rules, regulations and discipline, or any amendments or alterations thereof, published in any book of discipline under the direction or authority of the said Synod, or a copy of any by-law or resolution of the said Synod, under the seal of the said Synod and signed by the secretary, shall be receivable in evidence in the place and stead of the original.

5.—(1) All the property, real or personal, within the Province of Ontario which is now or hereafter may be held in trust for or to the use of any congregation, church, mission, school, college, theological seminary, hospital, cemetery, parsonage, home or institution of charity of or affiliated with the Evangelical Lutheran Church of Canada, and all the property, real or personal, within the Province of Ontario held in trust for the purposes or any of the purposes of the Evangelical Lutheran Church of Canada shall be held for the use in connection with the said Evangelical Lutheran Church of Canada of such congregation, church, mission, school, college, theological seminary, hospital, cemetery, home, parsonage, institution of charity or other undertaking of the said church, and the respective trustees thereof shall hold, use and administer the same in trust for the said Evangelical Lutheran Church of Canada, but no deed, transfer or lease of the lands so held by the said trustees or any other instrument dealing with or disposing of the said lands to or for the benefit of any other church or congregation except a church or congregation of the Evangelical Lutheran Church of Canada shall be valid without the consent of the said Synod, such consent to be testified in writing under the hand of the president and treasurer, for the time being, of the said Synod, or of such other officers or persons as the said Synod may designate, either by joining in the said deed, transfer, lease or other instrument, or by a separate document.

(2) All the property, real and personal, within the Province of Ontario which is now or may hereafter be held in trust for or to the use of any mission of the Evangelical Lutheran Church of Canada which has been assisted by the funds of the said Synod shall be held and vested in the said Synod, and shall be used and administered to further the objects of the said Evangelical Lutheran Church of Canada.

6.—(1) The said Synod is hereby authorized and empowered to take under any title whatever and to hold for the said Synod all lands and hereditaments and any estate therein which may hereafter be sold, ceded, exchanged, given, devised or bequeathed by will, demised, leased or granted to the said Synod, provided that the said Synod shall within ten years after its acquisition of any real estate sell or other-

wise dispose of and alienate so much of the said real estate as is not required for the use or occupation or like purposes of the said Synod.

Powers of  
dealing  
with  
property

(2) The said Synod may from time to time, whenever it may deem expedient to do so, and on such terms as shall be approved by the said Synod, sell, exchange, alienate, mortgage, lease or otherwise dispose of such estate or any portion thereof or interest therein held by the said Synod, whether simply by way of investment for the uses and purposes set forth in this Act or not, and the said Synod may also from time to time invest all or any of its funds or moneys in or upon any mortgage security of lands, tenements and hereditaments and any debentures of municipal or public school corporations or Dominion or Provincial stock or securities in any part or parts of the Dominion of Canada, and for the purposes of such investment or investments may take, receive and accept a mortgage or mortgages or an assignment or assignments thereof.

Borrowing  
powers.

(3) The said Synod may borrow from any person or corporation any sum or sums of money, at such rate or rates of interest and on such terms and for such length of time as to the said Synod shall seem expedient or advisable, and the said Synod is also hereby empowered to grant, mortgage, hypothecate or pledge all or any of its estate, real or personal, including stocks, shares, bonds, debentures, promissory notes, bills of exchange or other security of which it may at the passing of this Act or at any future time become seised, possessed or in any way interested in to secure repayment of the moneys so borrowed when and so often as it may deem expedient, and to make and execute under its corporate seal and the hands of the president and treasurer for the time being all proper deeds, bonds, debentures, mortgages and instruments, and to do all other matters and things requisite or necessary to effect and accomplish the premises.

Execution  
of  
documents.

(4) All conveyances and other instruments dealing with or disposing of the property, real or personal, of the said Synod shall be considered to be duly authorized and duly executed when authenticated by the affixing of the corporate seal of the said Synod and by the signatures of the president and treasurer for the time being of the said Synod, or of such other persons or officers as the said Synod may designate.

7. When in any wills, deeds, mortgages or other instruments or in any proceedings hereafter taken in the Courts of Ontario, "The Evangelical Lutheran Synod of Canada" shall be a party or referred to, the corporation incorporated by the Act of the Parliament of Canada, passed in the forty-eighth and forty-ninth years of the reign of Her late Majesty

Queen Victoria, chaptered 32, shall be deemed to be referred to; and when in any wills, deeds, mortgages or other instruments, or in any proceedings hereafter taken in the Courts of Ontario, "The Evangelical Lutheran Church of Canada" shall be a party or referred to, those churches, missions and congregations then under the government of the said Synod shall be deemed to be referred to.







4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Synod of the  
Evangelical Lutheran Church  
of Canada.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. J. W. CURRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

!An Act respecting the City of Port Arthur.

**W**HEREAS the Corporation of the City of Port Arthur Preamble, has, by its petition, represented that, on the twenty-ninth day of May, 1916, an agreement was entered into between the said corporation, the Board of Parks Management of the City of Port Arthur and the Saskatchewan Co-operative Elevator Company, Limited, whereby the said company agreed to erect a terminal elevator in the City of Port Arthur and the said corporation and Board of Park Management agreed to grant the right to lay and operate railway tracks over certain lands belonging to the said corporation and Parks Board to serve the said terminal elevator, which agreement was validated and confirmed by *The Port Arthur Act, 1917*; and whereas the said company duly erected the said terminal elevator and has been operating the same ever since; and whereas on the fourth day of September, 1917, an agreement was entered into between the said corporation and the said company whereby the said company agreed to erect a hospital elevator in the City of Port Arthur and the said corporation agreed to grant the right to lay and operate railway tracks over certain lands to serve the said elevator; and whereas the said company duly erected the said hospital elevator and has been operating the same ever since; and whereas on the fifteenth day of January, 1923, the said corporation in pursuance of said agreement, the said Parks Board having in the meantime transferred all its rights in said lands to the said corporation, executed two leases of the rights of way for said railway tracks over said lands to the said company; and whereas on the fifteenth day of January, 1923, an agreement was entered into between the said corporation and the said company whereby the said corporation agreed to permit the said railway tracks to be laid and operated over a part of its 100-foot railway reserve on Mining Location 7 in the said city, and over a part of a strip of land 100 feet in perpendicular width, lying to the south of the southern boundary of the said corporation's 100-foot railway reserve above mentioned; and whereas it is desirable that the two agreements dated the fourth September, 1917, and the

fifteenth day of January, 1923, respectively, and the two leases each dated the fifteenth day of January, 1923, should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows: —

Short title.

**1.** This Act may be cited as *The City of Port Arthur Act, 1923*.

Certain  
agreements  
and leases  
set out in  
schedules  
hereto  
confirmed.

**2.** Notwithstanding anything contained in any general Act to the contrary, the agreement dated the fourth day of September, 1917, made between the Corporation of the City of Port Arthur and the Saskatchewan Co-operative Elevator Company, Limited, set out in Schedule "1" hereto, and the two leases given by the said corporation of the City of Port Arthur to the said Saskatchewan Co-operative Elevator Company, Limited, each dated the fifteenth day of January, 1923, and set out in Schedules "2" and "3" hereto respectively, and the agreement, dated the fifteenth day of January, 1923, made between the Corporation of the City of Port Arthur, and the Saskatchewan Co-operative Elevator Company, Limited, set out in Schedule "4" hereto, are hereby declared to be, and to have always been, since the execution thereof, legal, valid and binding upon the said city, the said Board of Park Management and the said Saskatchewan Co-operative Elevator Company, Limited, and their successors and assigns respectively.

## SCHEDULE 1.

Agreement made this fourth day of September, in the year of our Lord one thousand nine hundred and seventeen:

Between:

THE CORPORATION OF THE CITY OF PORT ARTHUR,  
hereinafter called "the City,"

of the first part,

and

THE SASKATCHEWAN CO-OPERATIVE ELEVATOR COM-  
PANY, LIMITED,  
hereinafter called "the Company,"

of the second part.

Whereas the Company intends to erect a hospital grain elevator at Port Arthur, upon a portion of water lot 5P, as shown on the annexed blue print;

And whereas to permit the erection and operation of the said elevator, it is necessary to construct certain railway tracks across the property of the City;

Now this agreement witnesseth that in consideration of the premises, the parties hereto agree the one with the other as follows:

1. The Company agrees to commence the erection of a hospital grain elevator upon the lands shown colored black upon the annexed blue print, marked "proposed development of property Saskatchewan Co-operative Elevator Company, Limited, at Port Arthur, Ontario," dated July 7, 1917, within nine months from the date of this agreement, and to complete the said elevator and have the same ready for operation not later than the thirty-first day of December, 1918, at a cost of not less than Three hundred thousand (\$300,000) Dollars, provided that the situation as regards materials and labour does not develop in any way that will make the proposed construction within that time impracticable.

2. The City agrees to grant to the Company the right to lay and operate tracks to serve the said elevator for a period of ninety-nine (99) years from the date of this agreement, over a strip of land shown coloured yellow on the blue print hereto annexed, said strip of land continuing from the shore line boundary of the Company's water lot in a north-westerly direction to join with the tracks of the Canadian Pacific Railway Company, as shown on the said attached blue print.

3. The City further agrees to grant to the Company the right to lay and operate tracks to serve the said elevator for a period of ninety-nine (99) years from the date of this agreement, over a strip of land shown coloured red on the blue print hereto annexed, said strip of land continuing from the shore line boundary of the Company's water lot in a north-westerly direction to join the tracks of the Canadian Northern Railway Company, as shown on said annexed blue print.

4. It is understood that the location and the operation of the said tracks shall be subject to the approval of the Dominion Board of Railway Commissioners, and also that provision shall be made to the satisfaction of all parties hereto for the leaving open of such roads, streets and crossings and right-of-way for water mains, sewers, high and low potential power lines, telephone lines, and other municipal utilities as may be necessary to serve the said elevator, and such portion of the City's lands as lie between the said tracks, and also any other industries which may hereafter locate on the lands and water lots in the vicinity of the site of the said elevator.

5. The Company will assist the City in so far as it can in making arrangements with the said railway companies and any other railway companies hereafter desiring such rights for serving any industries along the said water front, and will, if necessary, allow any track or tracks,

or diamond or diamonds, to be built across the strip of land referred to in paragraph two (2) and three (3) herein, so as to permit of said railway and other railways reaching the water front to the east and west of its lands.

6. This agreement shall extend to and bind the successors and assigns of the parties hereto, and any company or companies with which the Company may hereafter amalgamate.

In witness whereof the parties hereto have caused their corporate seals to be hereto affixed and these presents attested by their duly authorized officers.

Signed, sealed and delivered  
in the presence of:

SASKATCHEWAN CO-OPERATIVE ELEVATOR CO., LTD.,

(Sgd.) J. A. MAHARG, *President.*  
(Sgd.) WILFRED C. MILLS, *Secretary.*

[Seal]

CORPORATION OF THE CITY OF PORT ARTHUR.

(Sgd.) D. J. COWAN, *Mayor.*  
(Sgd.) T. F. MILNE, *Clerk.*

I hereby certify the preceding to be a true and correct copy.

[Seal]

T. F. MILNE,  
*City Clerk.*

#### SCHEDULE 2.

This indenture made this 15th day of January, 1923, in pursuance of The Short Forms of Leases Act,  
Between:

THE CORPORATION OF THE CITY OF PORT ARTHUR,  
hereinafter called "the Lessor,"

of the first part,

and

THE SASKATCHEWAN CO-OPERATIVE ELEVATOR COMPANY, LIMITED,  
hereinafter called "the Lessee,"

of the second part.

Whereas by an agreement bearing date the 29th day of May, 1916, the parties hereto with the Board of Park Management of the City of Port Arthur, joining, entered into an agreement in writing whereby the Lessee agreed to erect an elevator, and the Lessor agreed to grant to the Lessee the right to lay and operate tracks to serve the said elevator, according to the terms and conditions more fully set out in the said agreement;

Now therefore this indenture witnesseth that in consideration of the rents, covenants and agreements hereinafter respectively reserved and contained on the part of the Lessee to be respectively paid, observed and performed, the said Lessor has demised and leased and by these presents doth demise and lease unto the said Lessee all that messuage land and tenements referred to in Schedule "A" hereto attached.

To have and to hold the said demised premises for and during the term of ninety-nine years to be computed from the 29th day of May, 1916, and from thenceforth next ensuing and fully to be completed and entered.

Yielding and paying therefor yearly and every year during the said term to the said Lessor the sum of one dollar (\$1.00) without any deduction, defalcation or abatement whatsoever to be paid on the 29th day of May during each and every year during the term hereby granted.

Provided in the event of the Lessor holding over beyond the terms hereby granted, the tenancy thereby resulting shall be on monthly tenancy only, and subject to termination at the election of the Lessor upon one month's notice.

The said Lessee covenants with the Lessor to pay rent;

And will not carry on any business that shall be deemed a nuisance on the said premises;

And the said Lessor covenants with the said Lessee for quiet enjoyment.

Notwithstanding anything herein contained, the Lessee agrees that it will consent to and assist the Lessor in so far as it can in making arrangements with any railway companies hereinafter desiring such rights for serving any industries along the water front and will, if necessary, allow any track or tracks or diamond to be built across the lands referred to in Schedule "A" hereto attached so as to permit the said railways reaching the water front to the east or west of its lands, but provided that such track or tracks or diamonds shall not be built so as to unreasonably interfere with the use of the demised premises for the purposes of the Lessee, and provided that in assisting the Lessee for the purposes aforesaid, the Lessee is not bound or required to pay any moneys or incur any expense or loss.

And it is further provided that the location and operation of the said tracks shall be subject to the approval of the Dominion Board of Railway Commissioners and also that provision shall be made to the satisfaction of all parties hereto for the leaving open of such roads (including the lake road shore allowance), streets and crossings or right of way for water mains, sewers, high and low potential power lines, telephone lines and other municipal utilities as may be necessary to serve the said elevator, and such portions of the Lessor's lands as lie between the said tracks, and also any other industries which may hereafter locate on lands and water lots in the vicinity of the site of the said elevator, but provided also that nothing done by virtue of this clause shall unreasonably interfere with the use and enjoyment of the Lessee of the demised premises.

And it is further agreed that this lease shall be subject to all the terms and conditions referred to in the agreement dated the 29th day of May, 1916, and made between the Corporation and the Lessee with the Board of Park Management of the City of Port Arthur adjoining.

And it is hereby declared and agreed that the words "Lessor" and "Lessee" wherever used in this indenture shall, when the context allows, include and be binding upon and enure to the benefit of not only the parties hereto, but also their respective heirs, executors, administrators, successors and assigns, and when the singular and masculine are used herein, the same shall be construed as meaning the plural or the feminine where the context so requires.

In witness whereof the parties hereto have hereunto caused to be affixed their corporate seals attested by the hands of their proper officers in that behalf.

Signed, sealed and delivered  
in the presence of:

SASKATCHEWAN CO-OPERATIVE ELEVATOR CO., LTD.,

[Seal]

(Sgd.) J. B. MUSSELMAN,  
*Managing Director.*

(Sgd.) WILFRED C. KITTS,  
*Secretary.*

(Sgd.) I. L. MATTHEWS,  
*Mayor.*

(Sgd.) T. F. MILNE,  
*Clerk.*

[Seal]

Certified copy.

T. F. MILNE, *Clerk.*

*Schedule "A."*

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Port Arthur, District of Thunder Bay and Province of Ontario, being composed of part of Mining Location seven (7) in the said City, formerly in the Township of McIntyre, and which said part may be more particularly described as follows:

Commencing at a point in the south-easterly limit of a right of way one hundred (100) feet in perpendicular width adjacent to the south-easterly limit of the right of way of the Canadian Pacific Railway, the said point being distant six hundred and forty-one (641) feet measured north-easterly thereon from its intersection with the west limit of Mining Location seven (7);

Thence easterly on a curve to the right with a radius of four hundred and sixty-five (465) feet to a point distant four hundred and sixty-five (465) feet measured perpendicularly to the south-east limit of the said right of way from a point in the said limit distant three hundred and eighty (380) feet measured north-easterly thereon from the point of commencement;

Thence south thirty-eight (38) degrees and thirty (30) minutes east, two hundred and eighty-five (285) feet more or less to the original high water mark of the shore of Thunder Bay;

Thence north-easterly along the said high water mark to a point distant one hundred and twenty-seven (127) feet measured perpendicularly from the last mentioned course;

Thence north thirty-eight (38) degrees and thirty (30) minutes west, two hundred and sixty (260) feet more or less to a point distant four hundred and sixty-six (466) feet measured perpendicularly to the south-easterly limit of the said right of way from a point in the said limit distant five hundred and nine (509) feet measured north-easterly thereon from the point of commencement;

Thence on a curve to the right with a radius of four hundred and sixty-five (465) feet to a point in the south-easterly limit of the said right of way distant nine hundred and sixty-seven and seven-tenths (967.7) feet measured north-easterly thereon from the point of commencement;

Thence south fifty-one (51) degrees and thirty (30) minutes west, along the said limit of the said right of way, one hundred and sixty-eight and seven-tenths (168.7) feet;

Thence southerly on a curve to the left with a radius of five hundred and eighteen (518) feet to a point distant three hundred and fifty (350) feet measured perpendicularly to the south-easterly limit of the said right of way from a point in the said limit distant five hundred and nine (509) feet measured north-easterly thereon from the point of commencement;

Thence westerly in a curve to the left with a radius of five hundred and eighteen (518) feet to a point in the said limit of said right of way distant one hundred and seven (107) feet measured north-easterly thereon from the point of commencement;

Thence south fifty-one (51) degrees and thirty (30) minutes west along the said limit, one hundred and seven (107) feet to the point of commencement, excepting therefrom all that portion lying between the south-easterly limit of the said right of way and a line drawn parallel to the said limit at a distance of one hundred (100) feet measured south-easterly from and perpendicular to the said limit as shown coloured red on plan of survey attached hereto.



## SCHEDULE 3.

This indenture made this 15th day of January, 1923, in pursuance of *The Short Forms of Leases Act*,

Between:

CORPORATION OF THE CITY OF PORT ARTHUR,  
hereinafter called "the Lessor,"

of the first part,

and

SASKATCHEWAN CO-OPERATIVE ELEVATOR COM-  
PANY, LIMITED,  
hereinafter called "the Lessee,"

of the second part.

Whereas by an agreement bearing date the 4th day of September, 1917, the parties hereto entered into an agreement in writing whereby the Lessee agreed to erect an elevator and the Lessor agreed to grant to the Lessee the right to lay and operate tracks to serve the said elevator according to the terms and conditions more fully set out in the said agreement;

Now therefore this indenture witnesseth that in consideration of the rents, covenants and agreements hereinafter respectively reserved and contained on the part of the Lessee to be respectively paid, observed and performed, the said Lessor has demised and leased, and by these presents doth demise and lease unto the said Lessee all that messuage land and tenements referred to in Schedule "A" hereto attached.

To have and to hold the said demised premises for and during the term of ninety-nine years to be computed from the 4th day of September, 1917, and from thenceforth next ensuing and fully to be completed and entered.

Yielding and paying therefor yearly and every year during the said term to the said Lessor, the sum of One dollar (\$1.00) without any deduction, defalcation or abatement whatsoever, to be paid on the 4th day of September during each and every year during the term hereby granted.

Provided in the event of the Lessor holding over beyond the term hereby granted, the tenancy thereby resulting shall be on monthly tenancy only and subject to termination at the election of the Lessor upon one month's notice.

The said Lessee covenants with the Lessor to pay rent;

And will not carry on any business that shall be deemed a nuisance on the said premises;

And the said Lessor covenants with the said Lessee for quiet enjoyment.

Notwithstanding anything herein contained, the Lessee agrees that it will consent to and assist the Lessor in so far as it can in making arrangements with any railway companies hereinafter desiring such rights for serving any industries along the water front and will, if necessary, allow any track or tracks or diamond to be built across the lands referred to in Schedule "A" hereto attached so as to permit the said railways reaching the water front to the east or west of its lands, but provided that such track or tracks or diamonds shall not be built so as to unreasonably interfere with the use of the demised premises for the purposes of the Lessee, and provided that in assisting the Lessee for the purposes aforesaid, the Lessee is not to be bound or required to pay any moneys or incur any expense or loss.

And it is further provided that the location and operation of the said tracks shall be subject to the approval of the Dominion Board of Railway

Commissioners and also that provision shall be made to the satisfaction of all parties hereto for the leaving open of such roads (including the lake road shore allowance), streets, and crossings or right of way for water mains, sewers, high and low potential power lines, telephone lines and other municipal utilities as may be necessary to serve the said elevator, and such portions of the Lessor's lands as lie between the said tracks, and also any other industries which may hereafter locate on lands and water lots in the vicinity of the site of the said elevator, but provided also that nothing done by virtue of this clause shall unreasonably interfere with the use and enjoyment of the Lessee of the demised premises.

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*Schedule "A."*

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Port Arthur, in the District of Thunder Bay, and being composed of part of Mining Location seven (7) in the said city, and formerly in the Township of McIntyre, and which said part may be more particularly described as follows:

Commencing at a point in the south-easterly limit of a right of way, one hundred (100) feet in perpendicular width, adjacent to the south-easterly limit of the right of way of the main line of the Canadian Pacific Railway, the said point being distant five hundred and thirty-six (536) feet measured north fifty-one (51) degrees and thirty (30) minutes east thereon, from its intersection with the west limit of the said Mining Location seven (7); thence easterly on a curve to the right with radius of four hundred and seventy-three (473) feet to a point distant five hundred and thirty-seven (537) feet measured perpendicularly to the south-easterly limit of the said right of way from a point in the said limit distant three hundred and seventeen and two-tenths (317.2) feet measured north-easterly thereon from the point of commencement;

Thence south twenty-seven (27) degrees and fifty (50) minutes east, two hundred and forty (240) feet, more or less, to the original high water mark of the shore of Thunder Bay;

Thence easterly along the said high water mark to a point distant seventy-six (76) feet, measured from the last mentioned course perpendicularly to it;

Thence north twenty-seven (27) degrees and fifty (50) minutes west, two hundred and twenty (220) feet more or less to a point distant five hundred and fifty-four (554) feet measured perpendicularly to the south-easterly limit of the said right of way from a point in the said limit distant three hundred and ninety-three (393) feet measured north-easterly thereon from the point of commencement;

Thence on a curve to the left with a radius of four hundred and ninety-seven (497) feet, to a point in the south-east limit of the said right of way distant seventy-two (72) feet from the point of commencement.

Thence south fifty-one (51) degrees and thirty (30) minutes west, along the said limit of the said right of way, seventy-two (72) feet to the point of commencement, as shown coloured red on plan of survey attached hereto.

And it is further agreed that this lease shall be subject to all the terms and conditions referred to in the agreement dated the 4th of September, 1917, and made between the Corporation and the Lessee.

And it is hereby declared and agreed that the words "Lessor" and "Lessee" wherever used in this indenture shall, when the context allows, include and be binding upon and enure to the benefit of not only the parties hereto, but also their respective heirs, executors, administrators, successors and assigns, and when the singular and masculine are used herein, the same shall be construed as meaning the plural or the feminine where the context so requires.

Signed, sealed and delivered  
in the presence of:

SASKATCHEWAN CO-OPERATIVE ELEVATOR CO., LTD.,

(Sgd.) J. B. MUSSELMAN, *Managing Director.* [Seal]  
 (Sgd.) WILFRED C. KITTS, *Secretary.*  
 (Sgd.) I. L. MATTHEWS, *Mayor.*  
 (Sgd.) T. F. MILNE, *Clerk.* [Seal]

T. F. MILNE,  
*Clerk.*

This indenture made this 15th day of January, 1923,  
Between:  
THE CORPORATION OF THE CITY OF PORT ARTHUR,  
hereinafter called "the City,"  
of the first part,  
and  
THE SASKATCHEWAN CO-OPERATIVE ELEVATOR COM-  
PANY, LIMITED,  
hereinafter called "the Company,"  
of the second part.

And whereas it is provided by said agreement that the City would grant to the Canadian Pacific Railway Company and to the Canadian Northern Railway Company the right to lay and operate tracks to serve the terminal elevator of the Company for a period of ninety-nine (99) years over parts of the City's 100 foot railway reserve across the said Mining Location Seven (7) Herrick's survey, and over a strip of land 100 feet in perpendicular width, lying to the south of the southern boundary of the City's said 100 foot railway reserve across said Mining Location Seven (7) as more particularly set out in said agreement;

And whereas by agreement dated the 4th day of September, 1917, made between the City and the Company, the City agreed to grant the Company the right to lay and operate tracks to serve the hospital grain elevator of the Company in the City of Port Arthur over certain parcels of land, as more particularly therein set out for the term therein provided:

And whereas pursuant to the said agreement, the City has granted to the Company leases of portions of said Mining Location Seven (7) Herrick's survey, as therein more particularly set out which leases are dated the 15th day of January, 1923;

And whereas the City has agreed to enter into this agreement with the Company for the purpose of more clearly protecting the interests of the Company in respect to railway facilities to the property of the Company, being a portion of water lot five (5) P, adjoining the said Mining Lo-

cation Seven (7) Herrick's survey, the terminal and hospital elevators situate thereupon and all additions to the same or either of them.

Now therefore this indenture witnesseth:

1. The party of the first part covenants and agrees with the party of the second part that it will allow the Canadian Pacific Railway Company, the Canadian Northern Railway Company and the Canadian National Railways, their successors and assigns, the right to keep, operate and maintain over and upon the City's one hundred (100) foot railway reserve across said Mining Location Seven (7) Herrick's survey, and over and upon a strip of lands one hundred (100) feet in perpendicular width immediately adjoining and to the south of the said one hundred (100) foot railway reserve across the said lands, such tracks and spur tracks and other railway plant as may be necessary for the purpose of effectually supplying railway facilities to the said property of the company adjoining said Mining Location Seven (7) Herrick's survey, the terminal and hospital elevators erected thereon and all substitutions therefor or additions thereto, during the term set out in the said leases from the City to the Company dated the 15th day of January, 1923, and more particularly, the City covenants and agrees with the Company that it, the City, will allow the said the Canadian Pacific Railway Company, the Canadian Northern Railway Company, and the Canadian National Railways, and their successors and assigns, to keep, operate and maintain the tracks and spur tracks now located and constructed across said lands in any part thereof and used or intended to be used for the purpose of supplying railway facilities to the said property of the company or its said elevators, during the term set out in the said leases.

2. The City further agrees with the Company that it will execute such proper agreements or conveyances as may be necessary in favour of the Canadian Pacific Railway Company, the Canadian Northern Railway Company, the Canadian National Railways, their successors or assigns, as may be necessary for the assuring to them the right to so maintain, keep and operate the said tracks during the terms aforesaid.

3. This agreement is not to prejudice the rights of the Company under the said in part recited agreements, dated the 29th day of May, 1916, and the 4th day of September, 1917, or either of them.

4. This agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

In witness whereof the parties hereto have hereunto caused to be affixed their corporate seals attested by the hands of their proper officers in that behalf.

Signed, sealed and delivered  
in the presence of:

I. L. MATTHEWS,  
*Mayor.*  
T. F. MILNE,  
*Clerk.*

Certified copy,

T. F. MILNE,  
*Clerk.*



No. 44.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of  
Port Arthur.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. HOGARTH.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Township of Tisdale.

**W**HEREAS the Corporation of the Township of Tisdale Preamble.  
in the District of Cochrane has by petition represented that it is desirable to authorize the said council, notwithstanding the provisions of *The Statute Labour Act* and *The Assessment Act*, to pass a by-law fixing the Poll Tax at an amount not to exceed \$10, and increasing the exemptions to residents of the municipality in respect of income assessments; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Township of Tisdale Act*, Short title.  
1923.

**2.** The Council of the Corporation of the Township of Tisdale may pass by-laws: Authority to pass by-laws.

(a) Fixing the tax payable under the provisions of section 4 of *The Statute Labour Act* at an amount Rev. Stat. 1914, c. 196. not to exceed \$10 and providing that the tax shall apply to all persons mentioned in the said subsection who have not been assessed upon the assessment roll of the municipality for real property.

(b) To increase by the amount of \$700 the exemptions on income to which residents of the municipality are entitled under the provisions of paragraph 20 Rev. Stat. 1914, c. 195 of section 5 of *The Assessment Act*.

This Act shall come into force and take effect on the Commencement of Act.  
day upon which it receives Royal Assent.

No. 45.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Township of  
Tisdale.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. LANG.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act respecting the Township of Tisdale.

**W**HEREAS the Corporation of the Township of Tisdale <sup>Preamble.</sup> in the District of Cochrane has by petition represented that it is desirable to authorize the said council, notwithstanding the provisions of *The Statute Labour Act* and *The Assessment Act*, to pass a by-law fixing the Poll Tax at an amount not to exceed \$10; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Township of Tisdale Act*, <sup>Short title.</sup> 1923.

**2.** The Council of the Corporation of the Township of Tisdale may, *by* by-law *fix* the tax payable under the provisions of section 4 of *The Statute Labour Act* at an amount <sup>Authority to pass by-laws.</sup> not to exceed \$10. <sup>Rev. Stat. 1914, c. 196.</sup>

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

No. 45.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Township of  
Tisdale.

1st Reading,	9th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Reprinted as amended by the Private Bills  
Committee*).

MR. LANG.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Midland.

**W**HEREAS the Corporation of the Town of Midland Preamble.  
has, by petition, represented that by-law number 1092,  
entitled "A by-law for borrowing \$73,000 upon debentures  
to pay for the construction of certain sewers in the said  
Town of Midland" was duly passed by the said corporation  
on the 23rd day of November, 1922; that certain doubts  
have arisen as to the validity of the said by-law; and that  
it is desirable that the said by-law should be validated and  
confirmed; and whereas no opposition has been offered to  
the said petition; and whereas it is expedient to grant the  
prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

**1.** This Act may be cited as *The Town of Midland Act*, Short title.  
1923.

**2.** By-law number 1092 of the Corporation of the Town By-law No.  
of Midland entitled "A by-law for borrowing \$73,000 1092  
upon debentures to pay for the construction of certain sewers Midland  
in the said Town of Midland," and bearing date the 23rd confirmed.  
day of November, 1922, as set forth in schedule "A"  
hereto, is hereby confirmed, validated and declared to be  
legal and binding upon the said corporation, and the rate-  
payers thereof; and the rates imposed by, and to be levied  
under, the said by-law for payment of debts authorized  
by the said by-law and the interest thereon, are also con-  
firmed and declared to be valid and binding upon the said  
Corporation, and the ratepayers thereof.

**3.** All debentures issued, or to be issued, under the said By-laws and  
by-law are confirmed and declared to be valid and binding proceedings  
upon the said corporation and the ratepayers thereof, and validated.  
it shall not be necessary for the purchasers of such debentures  
to inquire into the validity of the proceedings relating to or  
authorizing the issue of same, or to see to the application of  
the proceeds of the sale thereof.

**4.** This Act shall come into force on the day upon which it Commence-  
receives the Royal Assent. ment of Act.

## SCHEDULE "A."

TOWN OF MIDLAND.

BY-LAW No. 1092.

---

A By-law for borrowing \$73,000.00 upon debentures to pay for the construction of certain sewers in the said Town of Midland.

---

Whereas, pursuant to Construction By-law No. 1081 passed on the 23rd day of January, 1922, certain sewers have been constructed as set out in Schedule 1 hereto as a local improvement under the provisions of *The Local Improvement Act*;

And whereas, the said sewers have been constructed at a cost of \$73,604.90, of which there has been commuted \$202.27, leaving a balance of \$73,402.63 for which debentures are to be issued for \$73,000.00, of which \$38,362.14 is the Corporation's portion of the cost, and \$34,637.86 is the owners' portion of the cost, for which a special assessment roll has been duly made and certified;

And whereas, the Provincial Board of Health has approved the construction of the said work;

And whereas, the estimated lifetime of the work is over thirty years;

And whereas, it is necessary to borrow the sum of \$73,000.00 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of five and one half per cent. per annum, which is the amount of the debt intended to be created by this by-law;

And whereas, it is expedient to make the principal of the said debt repayable in yearly sums during the period of thirty years, of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal, as nearly as may be, to the amount so payable for principal and interest in each of the other years;

And whereas, it will be necessary to raise annually the sum of \$5,022.79 during the period of thirty years to pay the said yearly sums of principal and interest as they become due, of which \$2,639.52 is required to pay the Corporation's portion of the cost and interest thereon, and \$2,383.27 is required to pay the owners' portion of the cost and the interest thereon;

And whereas, the amount of the whole rateable property of the Municipality according to the last revised assessment roll (being the assessment roll for the year 1922) is \$4,610,799.00;

And whereas, the amount of the existing debenture debt of the Corporation (exclusive of local improvement debts secured by special rates or assessments) is \$729,667.38, and no part of the principal or interest is in arrear;

Therefore the Municipal Council of the Corporation of the Town of Midland enacts as follows:—

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$73,000.00, and debentures shall be issued therefor in sums of not less than \$100.00 each bearing interest at the rate of five and one half per cent. per annum and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date, and shall be issued within two years after the date on which this by-law is passed, and may

bear any date within such two years, and shall be payable in thirty annual instalments during the thirty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:—

<i>No.</i>	<i>Principal.</i>	<i>Interest.</i>	<i>Total.</i>
1.....	\$1,007 79	\$4,015 00	\$5,022 79
2.....	1,063 22	3,959 57	5,022 79
3.....	1,121 70	3,901 09	5,022 79
4.....	1,183 39	3,839 40	5,022 79
5.....	1,248 48	3,774 31	5,022 79
6.....	1,317 14	3,705 65	5,022 79
7.....	1,389 59	3,633 20	5,022 79
8.....	1,466 02	3,556 77	5,022 79
9.....	1,546 65	3,476 14	5,022 79
10.....	1,631 71	3,391 08	5,022 79
11.....	1,721 46	3,301 33	5,022 79
12.....	1,816 14	3,206 65	5,022 79
13.....	1,916 02	3,106 77	5,022 79
14.....	2,021 42	3,001 37	5,022 79
15.....	2,132 58	2,890 21	5,022 79
16.....	2,249 88	2,772 91	5,022 79
17.....	2,373 62	2,649 17	5,022 79
18.....	2,504 17	2,518 62	5,022 79
19.....	2,641 89	2,380 90	5,022 79
20.....	2,787 20	2,235 59	5,022 79
21.....	2,940 50	2,082 29	5,022 79
22.....	3,102 22	1,920 57	5,022 79
23.....	3,272 84	1,749 95	5,022 79
24.....	3,452 85	1,569 94	5,022 79
25.....	3,642 77	1,380 02	5,022 79
26.....	3,843 11	1,179 68	5,022 79
27.....	4,054 48	968 31	5,022 79
28.....	4,277 48	745 31	5,022 79
29.....	4,512 74	510 05	5,022 79
30.....	4,760 94	261 85	5,022 79
			<hr/>
			\$73,000 00

3. The debentures as to both principal and interest may be made payable at any place or places in Canada. The Mayor of the Corporation shall sign and issue the debentures, and the same and the interest coupons shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation. The Treasurer's signature to the coupons may be written, lithographed or engraved.

4. During the thirty years, the currency of the debentures, the sum of \$5,022.79 shall be raised annually for the payment of the debt and interest, as follows: The sum of \$2,639.52 shall be raised annually for the Corporation's portion of the cost and interest thereon, and shall be levied and raised annually by a special rate sufficient therefor, over and above all other rates on all rateable property in the municipality at the same time and in the same manner as other rates; for the payment of the owners' portion of the cost and the interest thereon, the special assessment set forth in the said special assessment roll is hereby imposed upon the lands liable therefor as therein set forth; which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid shall be payable in thirty equal annual instalments of 82,383.27 each, and for that purpose an equal annual special rate of ten cents per foot frontage is hereby imposed upon each lot entered in the said special assessment roll, according to the assessed frontage thereof, over and above all other rates and taxes, which said special rate shall be collected annually by the collector of taxes for the Corporation, at the same time and in the same manner as other rates.

5. The debentures may contain any clause providing for the registration thereof, authorized by any statute relating to municipal debentures at the time of the issue thereof.

6. The amount of the loan authorized by this by-law may be consolidated with the amount of any loans authorized by other local improvement by-laws, by including the same with such other loans in a consolidating by-law authorizing the borrowing of the aggregate thereof as one loan and the issue of debentures for such loan in one consecutive issue, pursuant to the provision of the statute in that behalf.

This by-law shall take effect on the day of the final passing thereof.

Passed this 23rd day of November, A.D. 1922.

(Sgd.) WM. H. DUNCAN,  
*Mayor.*

(Sgd.) C. E. SMITH,  
*Clerk.*

SEAL.  
9/10 of members of Council voted in favour.

## SCHEDULE NO. 1. BY-LAW NO. 1092.

Lots abutting on work on William Street.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
							Cents
Grand Trunk Right of Way .....	William	East	Pt. 108	80' 0"	\$1.45	\$8.00	.10
Railway Street .....				95' 0"			
Hutchins Estate .....		"	10	66' 0"	1.45	6.60	.10
Hutchins Estate .....		"	9	66' 0"	1.45	6.60	.10
Hill, Ira .....		"	8	66' 0"	1.45	6.60	.10
White, Julian .....		"	7	66' 0"	1.45	6.60	.10
Miller, John .....		"	6	66' 0"	1.45	6.60	.10
Morrow, Fred .....		"	5	66' 0	1.45	6.60	.10
Hudson, Mrs. J. ....		"	1, 2, 3, 4	231' 0"	1.45	23.10	.10
Centre Street .....				66' 0"			
Kohen, A. ....	"	"	Pt. 21	200' 0"	1.45	20.00	.10
Chew, Wm. ....	"	"	Pt. 21	914' 0"	1.45	91.40	.10
Chew, Norman .....	"	"	50	91' 8"	1.45	9.18	.10
Elizabeth Street .....				66' 0"			
Hill, Charles .....	"	"	Pt. 51	96' 0"	1.45	9.60	.10
Chew, Wm. ....	"	"	Pt. 21	343' 3"	1.45	34.33	.10
Rice, Wm. ....	"	"	Pt. 51	50' 0"	1.45	5.00	.10
Hydro-Electric Commission .....	"	"	Pt. 21	162' 0"	1.45	16.20	.10
Yonge Street .....				33' 0"			
Grand Trunk Right of Way .....	"	West		80' 0"	1.45	8.00	.10
Frank Street .....				66' 0"			
Hill, Chas. ....	"	"	20	60' 0"	1.45	6.00	.10
Hill, Chas. ....	"	"	19	60' 0"	1.45	6.00	.10
Hutchins Est. ....	"	"	18	60' 0"	1.45	6.00	.10
Hutchins Est. ....	"	"	17	60' 0"	1.45	6.00	.10
Irish, Brahm. ....	"	"	16	60' 0"	1.45	6.00	.10
Gloucester Street .....				66' 0"			
Boyce, Wm. ....	"	"	15	39' 6"	1.45	3.96	.10
Turkington, W. ....	"	"	14	60' 0"	1.45	6.00	.10
Hubert, A. ....	"	"	13	60' 0"	1.45	6.00	.10
Fox, Henry .....	"	"	12	60' 0"	1.45	6.00	.10
Leighton, George .....	"	"	11	60' 0"	1.45	6.00	.10
Bay Street .....							
Lemieux, Adolph .....	"	"	10	60' 0"	1.45	6.00	.10
Jennett, Hiram .....	"	"	9	60' 0"	1.45	6.00	.10
St. Marks Church .....	"	"	8	60' 0"	1.45	6.00	.10
Kohen, A. ....	"	"	7	60' 0"	1.45	6.00	.10
Kohen, A. ....	"	"	6	60' 0"	1.45	6.00	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Dominion Avenue.....				66' 0"			Cents
Ovell, Albert.....	William	West	5	60' 0"	1.45	6.00	.10
Ovell, Albert.....	"	"	4	60' 0"	1.45	6.00	.10
Ovell, Albert.....	"	"	3	60' 0"	1.45	6.00	.10
Leveille, Peter.....	"	"	2	60' 0"	1.45	6.00	.10
Marcille, Simon.....	"	"	1	60' 0"	1.45	6.00	.10
Hughel Avenue.....				80' 0"			
Strong, John.....	"	"	22	103' 0"	1.45	6.00	.10
Strong, John.....	"	"	23	50' 0"	1.45	5.00	.10
Strong, John.....	"	"	24	50' 0"	1.45	5.00	.10
Midland Woodworkers.....	"	"	25, 26	100' 0"	1.45	10.00	.10
Johnston, Clara.....	"	"	27, 28	100' 0"	1.45	10.00	.10
McLeod, Miss C.....	"	"	29, 30	100' 0"	1.45	10.00	.10
McLeod, Miss C.....	"	"	1	103' 8"	1.45	10.38	.10
Elizabeth Street.....				66' 0"			
Gibson, M. A.....	"	"	5	325' 0"	1.45	32.50	.10
Carleton, J.....	"	"	9, 10	70' 8"	1.45	7.08	.10
Ross, L. L.....	"	"	8, 7	60' 0"	1.45	6.00	.10
Ellery, Albert.....	"	"	6	30' 0"	1.45	3.00	.10
Dusome, Maltilda.....	"	"	5	30' 0"	1.45	3.00	.10
McLennan, Margaret.....	"	"	4	30' 0"	1.45	3.00	.10
Gerow, Joseph.....	"	"	3	30' 0"	1.45	3.00	.10
Chew, William.....	"	"	2	30' 0"	1.45	3.00	.10
Chew, William.....	"	"	1	30' 0"	1.45	3.00	.10
Yonge Street.....				33' 0"			
William Street.....	Yonge	North		66' 0"			
Chew, William.....	"	"	1				
Chew, William.....	Fitton	East	20	30' 0"	1.45	3.00	.10
Fitton Street.....				66' 0"			
Chew, Ella.....	Yonge	North	21	98' 0"	1.45	9.80	.10
Hill, Chas.....	"	"	4	335' 0"	1.45	33.50	.10
Horrell, Digby.....	"	"	3	302' 0"	1.45	30.20	.10
Battrick, C. W.....	"	"	2	269' 0"	1.45	26.90	.10
Princess Street.....				66' 0"			
Kinnee, George.....	"	"	18, 16, 17	217' 0"	1.45	21.70	.10
Kinnee, George.....	"	"	15				
Russell Street N.....				66' 0"			
Courtney, Sarah.....	"	"	Pt. 20	8' 3"	1.45	.83	.10
Beatty, Ethel.....	"	"	Pt. 20	40' 0"	1.45	4.00	.10
Clark, Henry.....	"	"	Pt. 20	30' 0"	1.45	3.00	.10
Doran, John.....	Manley	East	Pt. 20	78' 3"	1.45	7.83	.10



## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
							Cents
Manley Street North...							
Beatty, Martha.....	Manley	West	Pt. 20	44' 0"	1 45	4 40	.10
Baker, Chas.....	Yonge	North	Pt. 20	83' 0"	1 45	8.30	.10
Smith, G. N. ....	"	"	Pt. 20	140' 2½"	1 45	14 02	.10
Queen Street North....							
Nolen, William.....	"	"	Pt. 20	100' 2½"	1 45	10.02	.10
Musgrove, Robt.....	"	"	Pt. 20	40' 0"	1 45	4.00	.10
Scarlett, James.....	Midland	East	Pt. 20	77' 0"	1 45	7.70	.10
Kerr, Mrs. C.....							
Midland Avenue .....				80' 0"			
McLaughlin, R. S.....	Midland	West	Pt. 1	50' 0"	1 45	5.00	.10
McDonald, E. ....	"	"	Pt. 1				
Ayres, Chas.....	Yonge	North		66' 0"	1 45	6.60	.10
Sibbald, J. A.....	"	"	P. 19	40' 0"	1 45	4.00	.10
William Street .....				33' 0"			
McCartney, H. E.....	"	South	P. 105	1362' 0"	1 45	136.20	.10
Dubey, Paul.....	"	"	P. 105	50' 0"	1 45	5.00	.10
Midland H. Comm.....	"	"	54	40' 0"	1 45	4.00	.10
McCartney, H. E.....	"	"	53, 52	76' 0"	1 45	7.60	.10
College Street .....				66' 0"			
McCartney, H. E.....	"	"	3	36' 0"	1 45	3.60	.10
Riddell, Walter.....	"	"	2, 1	76' 0"	1 45	7.60	.10
Wickes, W. H.....	"	"	P. 48	50' 0"	1 45	5.00	.10
Kettle, H. J.....	"	"	P. 48	98' 3"	1 45	9.83	.10
Russell Street S.....							
Demorest, Jas.....	Russell	West	P. 1	75' 0"	1 45	7.50	.10
Truax, Alex.....	Yonge	South	P. 1	35' 0"	1 45	3.50	.10
Demorest, Jas.....	"	"	P. 1	37' 0"	1 45	3.70	.10
Ingram, Margaret.....	Manley	East	E. P. 1	37' 0"	1 45	3.70	.10
Ingram, Margaret.....	"	"	C. P. 1	37' 0"	1 45	3.70	.10
Ingram, M. E.....	"	"	W. P. 1	37' 0"			
Manley Street South...							
Merday, Arthur.....	Yonge	South	1	5' 0"	1 45	.50	.10
Battrick, J. A. ....	"	"	C. P. 1	45' 0"	1 45	4.50	.10
McCaughey, R.....	"	"	W. P. 1	12' 0"	1 45	1.20	.10
McCaughey, R.....	Queen	East	E. P. 1	44' 0"	1 45	4.40	.10
Ralph, Reuben.....	Yonge	South	C. P. 1	56' 0"	1 45	5.60	.10
McLennan, Alex.....	"	"	W. P. 1				
Queen Street.....				66' 0"			
McGill, John .....	"	"	1	65' 0"	1 45	6.50	.10
Whaley, Mert.....	"	"	P. 1	40' 0"	1 45	4.00	.10
Whaley, Mert.....	"	"	W. P. 1	25' 0"	1 45	2.50	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
							Cents
Midland Avenue.....				66' 0"			
Scott, W. A.....	Yonge	South	E. P. 1	55' 0"	1.45	5.50	.10
Whaley, Mert.....	"	"	C. P. 1	55' 0"	1.45	5.50	.10
Harvey, R. R.....	"	"	W. P. 1	55' 0"	1.45	5.60	.10
Parker, Angelina.....	"	"	E. P. 1	56' 0"	1.45		
Yonge Street.....				33' 0"			
Scott, W. A.....	Midland	West	1	66' 0"	1.45	6.60	.10
Harvie, R. R.....	"	"	2	66' 0"	1.45	6.60	.10
Harvie, R. R.....	"	"	3	66' 0"	1.45	6.60	.10
Kinnear, J.....	"	"	4	66' 0"	1.45	6.60	.10
Macksey, Jacob.....	"	"					
Hannah Street.....							
Black, A. S.....	"	"	6	66' 0"	1.45	6.60	.10
Swales, Ed.....	"	"	7	66' 0"	1.45	6.60	.10
Edword, Mrs. C. W.....	"	"	8	66' 0"	1.45	6.60	.10
Cummings, Isaac.....	"	"	Pt. 9	40' 0"	1.45	4.00	.10
Stamp, J., Est.....	"	"	Pt. 9	26' 0"	1.45	2.60	.10
Stamp, J., Est.....	"	"	10	66' 0"	1.45	6.60	.10
Ellen Street.....				66' 0"			
Burridge, Thos.....	"	"	11, 12	133' 4"	1.45	13.34	.10
Burridge, Thos.....	"	"	13	66' 7"	1.45	6.67	.10
Dunn, R. J., Jr.....	"	"	14	66' 7"	1.45	6.67	.10
Dunn, R. J., Sr.....	"	"	15	Gully Exemption			
Dunn, R. J., Jr.....	"	"	P.16, 17, 18	200' 1"	1.45	20.01	.10
Colborne Street.....							
Yonge Street.....	"	East		33' 0"			
Whaley, Mert.....	"	"	1	66' 0"	1.45	6.60	.10
Whaley, Mert.....	"	"	P. 2	11' 0"	1.45	1.10	.10
Heaslip, H.....	"	"	P. 2	55' 0"	1.45	5.50	.10
Latanville, J.....	"	"	3	66' 0"	1.45	6.60	.10
Marcellus, C.....	"	"	4	66' 0"	1.45	6.60	.10
O'Hare & Sons.....							
Hannah Street.....	"	"	6	66' 0"	1.45	6.60	.10
Baptist Church Manse	"	"	7	66' 0"	1.45	6.60	.10
Burrison, Orville.....	"	"	8	66' 0"	1.45	6.60	.10
Ferguson, C.....	"	"	9	66' 0"	1.45	6.60	.10
Swales, Newton.....	"	"	10	66' 0"	1.45	6.60	.10
Rutherford, Fred.....							
Ellen Street.....				66' 0"			
Bryant, Oliver.....	"	"	11	66' 7"	1.45	6.67	.10
Jones, Wm. J.....	"	"	12, 13	133' 4"	1.45	13.34	.10
Jones, Wm. J.....	"	"	14	66' 7"	1.45	6.67	.10
Smith, Waverley.....		Gully	Exemption				

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
							Cents
Ellen Street.—Con.....							
Stainton, H. B.....	Midland	East	16	66' 7"	1.45	6.67	.10
Stainton, H. B.....	"	"	P. 17	20' 0"	1.45	2.00	.10
Garroway, A. E.....	"	"	P. 17	46' 7"	1.45	4.67	.10
Cripps, Wesley.....	"	"	18	66' 7"	1.45	6.67	.10
Elizabeth Street.....							
Duncan, T. W.....	Queen	West	11, 12	130' 5"	1.45	13.05	.10
McDonald, D.....	"	"	13	63' 2½"	1.45	6.52	.10
Carter, Selina.....	"	"	14	65' 2½"	1.45	6.52	.10
McCardle, G. W.....	"	"	P. 15	32' 7½"	1.45	3.26	.10
McCardle, W. H.....	"	"	P. 15	32' 7½"	1.45	3.26	.10
Armongstrong, Mrs. G.	"	"	16	65' 2½"	1.45	6.52	.10
Guest, Thos.....	"	"	17	65' 2½"	1.45	6.52	.10
Sager, Robt.....	"	"	18	65' 2½"	1.45	6.52	.10
Armongstrong, A.....	"	"	19	65' 2½"	1.45	6.52	.10
Nolen, Wm.....	"	"	20				
Yonge Street.....							
McGill, John.....	"	"	1	66' 0"	1.45	6.60	.10
Fitzpatrick, Mrs. F.....	"	"	P. 2	33' 0"	1.45	3.30	.10
Low, J. G.....	"	"	P. 2	33' 0"	1.45	3.30	.10
Smith, Donald J.....	"	"	3	66' 0"	1.45	6.60	.10
McCaw, Nelson.....	"	"	P. 4	61' 0"	1.45	6.10	.10
Trew, W. J.....	"	"	P. 4	5' 0"	1.45	.50	.10
Hannah Street.....	"	"		66' 0"			
Walker, Ed.....	"	"	6	66' 0"	1.45	6.60	.10
Walker, Ed.....	"	"	P. 7	48' 0"	1.45	4.80	.10
Burrison, O. H.....	"	"	P. 7	18' 0"	1.45	1.80	.10
Burrison, O. H.....	"	"	P. 8	32' 0"	1.45	3.20	.10
Thornton, Wm.....	"	"	P. 8	34' 0"	1.45	3.40	.10
Thornton, Wm.....	"	"	P. 9	16' 0"	1.45	1.60	.10
Parsons, Mrs. C.....	"	"	P. 9	50' 0"	1.45	5.00	.10
Parsons, Mrs. C.....	"	"	P. 10	66' 0"	1.45	6.60	.10
Ellen Street.....							
Jones, W. J.....	"	"	11				
Boyce, Mrs. Wm.....	"	"	12	66' 7"	1.45	6.67	.10
Guthrie, Robt.....	"	"	13	66' 7"	1.45	6.67	.10
Ingram, Robt.....	"	"	14	66' 7"	1.45	6.67	.10
McCauley, Alonzo.....	"	"	15	Gully Exemption			
Dunn, William.....	"	"	16	66' 7"		6.67	.10
Jones, Irvin.....	"	"	18	66' 7"	1.45	6.67	.10
Colborne Street.....				33' 0"			
Elizabeth Street.....				34' 0"			
McKnight, Wm.....	Queen	East	11		1.45		.10
McClung, James.....	"	"	12	65' 2½"	1.45	6.52	.10
Corbett, Mrs. I.....	"	"	13	65' 2½"	1.45	6.52	.10
St. Peters, Mrs. D.....	"	"	14	65' 2½"	1.45	6.52	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Elizabeth Street.—Con.							Cents
English, W. J.	Queen	East	15	65' 2 $\frac{1}{2}$ "	1.45	6.52	.10
Silvey, John	"	"	16	65' 2 $\frac{1}{2}$ "	1.45	6.52	.10
Hoag, Fred.	"	"	17	65' 2 $\frac{1}{2}$ "	1.45	6.52	.10
Harris, Wm.	"	"	18	65' 2 $\frac{1}{2}$ "	1.45	6.52	.10
Guest, Geo. H.	"	"	19	65' 2 $\frac{1}{2}$ "	1.45	6.52	.10
Smith, Geo. N.	"	"	20				
Yonge Street				66' 0"			
McLennan, Alex.	"	"	1, 2	100' 0"	1.45	10 00	.10
Trew, Mrs. M. A.	"	"	3	50' 0"	1.45	5.00	.10
Hubbs, B. W.	"	"	4	50' 0"	1.45	5.00	.10
Trew, James.	"	"	5	50' 0"	1.45	5.00	.10
Ruby, H. S.	"	"	6	50' 0"	1.45	5.00	.10
Roberts, James.	"	"	7				
Hannah Street				66' 0"			
Potts, J. A.	"	"	8	50' 0"	1.45	5.00	.10
McLennan, Walter	"	"	9	50' 0"	1.45	5.00	.10
Trew, Thos.	"	"	10	50' 0"	1.45	5.00	.10
Hughes, J. W.	"	"	11	50' 0"	1.45	5.00	.10
Smith, Donald, Sr.	"	"	12	50' 0"	1.45	5.00	.10
Walters, Geo. E.	"	"	13	50' 0"	1.45	5.00	.10
Ellen Street				66' 0"			
Walters, Chas.	"	"	14				
Walters, Chas.	"	"	15	50' 0"	1.45	5.00	.10
Morris, V. J.	"	"	16	50' 0"	1.45	5.00	.10
Preston, Jas.	"	"	N. P. 18	30' 0"	1.45	3.00	.10
Morris, Henry	"	"	17	50' 0"	1.45	5.00	.10
Heels, Roy	"	"	S. P. 18	20' 0"	1.45	2.00	.10
Heels, Roy	"	"	N. P. 19	10' 0"	1.45	1.00	.10
Cripps, Jos.	"	"	S. P. 19	40' 0"	1.45	4.00	.10
McCauley, J. A.	"	"	20	50' 0"	1.45	5.00	.10
Nicholson, David.	"	"	21	50' 0"	1.45	5.00	.10
Craighead, John.	"	"	22	50' 0"	1.45	5.00	.10
Noquet, John.	"	"		Gully	Exemption		
Colborne Street				33' 0"			
Elizabeth Street							
Farrow, Wm.	Manley	West	11				
Elliott, Mrs. E.	"	"	N.P. 12	32' 7 $\frac{1}{4}$ "	1.45	3.26	.10
McCabe, Thos.	"	"	S.P. 12	32' 7 $\frac{1}{4}$ "	1.45	3.26	.10
Hazelton, F. J.	"	"	13	65' 2 $\frac{1}{2}$ "	1.45	6.52	.10
McDonald, M. J.	"	"	14	65' 2 $\frac{1}{2}$ "	1.45	6.52	.10
Merday, Emil.	"	"	S. P. 15	32' 7 $\frac{1}{4}$ "	1.45	3.26	.10
Merday, Emil.	"	"	N.P. 16	37' 0"	1.45	3.70	.10
McDonald, M. J.	"	"	N. P. 15	32' 7 $\frac{1}{4}$ "	1.45	3.26	.10
Preston, R. D.	"	"	S. P. 16	27' 2 $\frac{1}{2}$ "	1.45	2.82	.10
Preston, R. D.	"	"	N. P. 17	11' 0"	1.45	1.10	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
							Cents
Elizabeth Street.—Con.							
Kitchen, Geo.....	Manley	West	S.P. 17	54' 2½"	1.45	5.42	.10
Kitchen, Geo.....	"	"	N. P. 18	8' 0"	1.45	.80	.10
French, Est. of.....	"	"	S. P. 18.	57' 2½"	1.45	5.72	.10
Baker, Mrs. E. F.....	"	"	19	65' 2"	1.45	6.52	.10
Bakery, Charles.....	"	"	20 N. P.	21' 2½"	1.45	2.12	.10
Beatty, Mrs. M.....	"	"	S. P. 20				
Yonge Street.....				66' 0"			
Merday, Arthur.....	"	"	1	50' 0"	1.45	5.00	.10
Graham, G. N.....	"	"	2	50' 0"	1.45	5.00	.10
Marlow, Hugh.....	"	"	3	50' 0"	1.45	5.00	.10
Bateson, S.....	"	"	4	50' 0"	1.45	5.00	.10
Lowes, Albert.....	"	"	5	50' 0"	1.45	5.00	.10
Hoag, Alexander.....	"	"	6	50' 0"	1.45	5.00	.10
Davidson, F. H.....	"	"	7				
Hannah Street.....							
Peacock, George.....	"	"	8	50' 0"	1.45	5.00	.10
Peacock, George.....	"	"	9	50' 0"	1.45	5.00	.10
Steers, Oliver.....	"	"	10	50' 0"	1.45	5.00	.10
Smith, Wm.....	"	"	11	50' 0"	1.45	5.00	.10
Duncan, Robt.....	"	"	12	50' 0"	1.45	5.00	.10
Duncan, Robt.....	"	"	13	50' 0"	1.45	5.00	.10
Ellen Street.....				66' 0"			
Long, Ernest.....	"	"	14	50' 0"		Exempt	
Crawford, Thos.....	"	"	15	50' 0"	1.45	5.00	.10
Baker, H. W.....	"	"	16	50' 0"	1.45	5.00	.10
Steers, Wm. A.....	"	"	17	50' 0"	1.45	5.00	.10
Howard, Wm.....	"	"	18	50' 0"	1.45	5.00	.10
Simpell, Wm.....	"	"	P. 20	37' 0"	1.45	3.70	.10
Simpell, Wm.....	"	"	19	50' 0"	1.45	5.00	.10
Ayres, Dora.....	"	"	P. 20	13' 0"	1.45	1.30	.10
Ayers, Dora.....	"	"	P. 21	25' 0"	1.45	2.50	.10
MacLean, G. B.....	"	"	P. 21	25' 0"	1.45	2.50	.10
MacLean, G. B.....	"	"	P. 22	13' 0"	1.45	1.30	.10
Fennell, Franklin.....	"	"	P. 22	37' 0"	1.45	3.70	.10
Delemarter, H.....	"	"	23	50' 0"	1.45	5.00	.10
Delemarter, H.....	"	"	24	Gully Exemption			
Elizabeth Street.....							
Webb, John T.....	Manley	East	11	66' 0"	1.45	6.60	.10
Healy, Mathew.....	"	"	12	66' 0"	1.45	6.60	.10
Mott, Fred.....	"	"	13	66' 0"	1.45	6.60	.10
Kearns, James.....	"	"	P. 1	27' 0"	1.45	2.70	.10
Morten, E. E.....	"	"	P. 1	27' 0"	1.45	2.70	.10
Brandon, L. T.....	"	"	P. 1	46' 0"	1.45	4.60	.10

## SCHEDULE NO. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Horrell Avenue.....				64' 0"			Cents
Russell, R. K.....	Manley	East	15	50' 0"	1.45	5.00	.10
Styles, C. R.....	"	"	16	50' 0"	1.45	5.00	.10
Morrison, Wm.....	"	"	18	66' 0"	1.45	6.60	.10
Webb, Mrs. Lillian.....	"	"	P. 19	33' 0"	1.45	3.30	.10
Webb, Caleb.....	"	"	P. 19	33' 0"	1.45	3.30	.10
Doran, John.....	"	"	20	56' 7"	1.45	5.67	.10
Yonge Street.....				66' 0"			
Ingram, Margaret.....	"	"	1, 2	100' 0"	1.45	10.00	.10
Scarlett, R. H.....	"	"	3	50' 0"	1.45	5.00	.10
Irwin, R. H.....	"	"	4	50' 0"	1.45	5.00	.10
Simpson, Alex.....	"	"	5	50' 0"	1.45	5.00	.10
Steer, James.....	"	"	6	50' 0"	1.45	5.00	.10
Steer, James.....	"	"	7	50' 0"	1.45	5.00	.10
Hannah Street.....				66' 0"			
Bush, Herman.....	"	"	8	50' 0"	1.45	5.00	.10
Wilson, Richard.....	"	"	9	50' 0"	1.45	5.00	.10
Wilson, Samuel.....	"	"	10	50' 0"	1.45	5.00	.10
Foweraker, Ernest.....	"	"	P. 11	47' 0"	1.45	4.70	.10
Clute, Alfred.....	"	"	P. 11	3' 0"	1.45	.30	.10
Clute, Alfred.....	"	"	12	50' 0"	1.45	5.00	.10
Beatty, Percy.....	"	"	13	50' 0"			
Ellen Street.....							
McNamee, James.....	"	"	14	50' 0"			
McNamee, James.....	"	"	15	50' 0"	1.45	5.00	.10
Spring, W. O.....	"	"	16	50' 0"	1.45	5.00	.10
Masters, Nathan.....	"	"	17	50' 0"	1.45	5.00	.10
Scriber, Charles.....	"	"	18, 19	100' 0"	1.45	10.00	.10
Hopworth, Ernest.....	"	"	20, 21	100' 0"	1.45	10.00	.10
Horrell Avenue.....				33' 0"			
Kennedy, John.....	Russell	West	9	66' 0"	1.45	6.60	.10
Goneau, Samuel.....	"	"	18	66' 0"	1.45	6.60	.10
Taylor, Charles.....	"	"	19	66' 0"	1.45	6.60	.10
Courtney, Mrs. S.....	"	"	20	56' 2"	1.45	6.60	.10
Yonge Street.....				66' 0"			
Demorest, James.....	"	"	1, 2				
Roberts, Roland.....	"	"	3	50' 0"	1.45	5.00	.10
Brown, Margaret.....	"	"	4	50' 0"	1.45	5.00	.10
Kinnece, Wesley.....	"	"	5	50' 0"	1.45	5.00	.10
Gilchrist, J. H.....	"	"	6	50' 0"	1.45	5.00	.10
McMahon, Henry.....	"	"	7	50' 0"	1.45	5.00	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
							Cents
Hannah Street.....				66' 0"			
Hopkins, C. B.....	Russell	West	8, 9	100' 0"	1.45	10.00	.10
Hagerman, Geo.....	"	"	10	50' 0"	1.45	5.00	.10
Letherdale, Melville.....	"	"	11	50' 0"	1.45	5.00	.10
Hamil, Samuel.....	"	"	12	50' 0"	1.45	5.00	.10
Foster, Francis B.....	"	"	13	50' 0"	1.45	5.00	.10
Ellen Street.....				66' 0"			
Anderson, Mrs. E.....	"	"	14, 15				
Gerow, D. O.....	"	"	17	50' 0"	1.45	5.00	.10
Columbus, Miss M.....	"	"	16	50' 0"	1.45	5.00	.10
Gleadell, Abraham.....	"	"	18	50' 0"	1.45	5.00	.10
French, C. H.....	"	"	19	50' 0"	1.45	5.00	.10
Dion, John.....	"	"	20	50' 0"	1.45	5.00	.10
Lockhart, Martha.....	"	"	21, 23	Gully			
Lockhart, Martha.....	"	"	23, 24	87' 1"	1.45	8.71	.10
Sager, Nicholas.....	"	East	9	50' 7.7"	1.45	5.08	.10
Howard, John.....	"	"	10	50' 8.3"	1.45	5.08	.10
Sager, Jos.....	"	"	10	48' 3.9"	1.45	4.84	.10
Gregoir, Octave.....	"	"	12	49' 6.3"	1.45	4.96	.10
Gray, S.....	"	"	13	50' 0"	1.45	5.00	.10
Chase, J. F.....	"	"	14	50' 0.6"	1.45	5.01	.10
Kinnee, Geo.....	"	"	15	46' 8.8"	1.45	4.69	.10
Yonge Street.....				66' 0"			
Kettle, Mrs. H. J.....	"	"	48, 47, 46	50' 0"	1.45	5.00	.10
Thompson, Wm.....	"	"	44, 45	100' 0"	1.45	10.00	.10
Tudhope, Geo. H.....	"	"	43	50' 0"	1.45	5.00	.10
Elliot, David.....	"	"	42	50' 0"	1.45	5.00	.10
Hannah Street.....							
Public School.....			41 to 36				
Ellen Street.....							
Lamb, Geo. Est.....	"	"	35	50' 0"	1.45	5.00	.10
Foster, Mrs. Eliz.....	"	"	34	50' 0"	1.45	5.00	.10
Stewart, John.....	"	"	33, 32	100' 0"	1.45	10.00	.10
Marcillus, James.....	"	"	31	50' 0"	1.45	5.00	.10
Graham, Geo.....	"	"	29, 30	100' 0"	1.45	10.00	.10
Clark, Geo.....	"	"	28	50' 0"	1.45	5.00	.10
Nicholson, T. W.....	"	"	25, 26, 27	137' 0"	1.45	13.70	.10
Colborne Street.....							
Manley Street.....				33' 0"			
Brandon, L. T.....	Horrell	North	1, 2				
Morton, E. E.....	"	"	3	44' 0"	1.45	4.40	.10
Shakell, Geo.....	"	"	4	44' 0"	1.45	4.40	.10
St. Peters, Jos.....	"	"	5	44' 0"	1.45	4.40	.10
Martin, Albert.....	"	"	6	44' 0"	1.45	4.40	.10
Letherby, Jas. A.....	"	"	7, 8	44' 0"	1.45	4.40	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Russell Street . . . . .				33' 0"			Cents
Russell, R. K. . . . .	Horrell	North	15				
Reynolds, Glover . . . . .	"	"	14	44' 0"	1.45	4.40	.10
Beaudois, O. . . . .	"	"	13	44' 0"	1.45	4.40	.10
Campbell, Jos. . . . .	"	"	12	44' 0"	1.45	4.40	.10
Lapp, Wm. . . . .	"	"	P. 11	40' 0"	1.45	4.00	.10
Bacon, John . . . . .	"	"	P. 11	4' 0"	1.45	.40	.10
Bacon, John . . . . .	"	"	P. 10	26' 0"	1.45	2.60	.10
Arnold, Wm. . . . .	"	"	P. 10	18' 0"	1.45	1.80	.10
Arnold, Wm. . . . .	"	"	P. 9	13' 0"	1.45	1.30	.10
Kennedy, John . . . . .	"	"	P. 9	31' 0"	1.45	3.10	.10
Webber, Chas. W., Special case . . . . .	Russell St. and Horrell Ave.	West	P. 7, 8	30' 0"	1.45	3.00	.10

## GULLY

King Street							
Chester, Fred. . . . .		North	17	66' 7"	1.45	6.67	.10
Macksey, J. A. . . . .		South	16	Gulley			

## Midland Avenue

Property intervening assessed on street fronting lot (exempt on gulleys.)

Brown, Ernest, Queen to Manley block	23, 24	80' 0"	1.45	8.00	.10
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Property intervening assessed on street fronting lot.

Manley Street							
Morris, Gordon . . . . .		South	P. 23, 24	40' 0"	1.45	4.00	.10
Housing Commission . . . . .		"	P. 22, 23, 24				
			22	40' 0"	1.45	4.00	.10
Bell, A. W. . . . .		"	P. 22, 23, 24	41' 9½"	1.45	4.18	.10
Roberts, Thos . . . . .		"	P. 22, 23, 24	40' 0"	1.45	4.00	.10
Briton, John . . . . .	Russell	West	P. 22, 23, 24	47' 0"	1.45	4.70	.10
Russell Street							
King Street . . . . .							
Calvarley, S. P. . . . .	Hannah	North	P. 5	45' 0"	1.45	4.50	.10
Janet, Richard . . . . .	"	"	P. 5	46' 0"	1.45	4.60	.10
Macksey, Jacob . . . . .	Midland	West	P. 5	131' 0"	1.45	13.10	.10



## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Midland Avenue.....							Cents
O'Hare & Sons.....	Midland	East	5	131' 0''	1.45	13.40	.10
Reebuck, John.....	Queen	West	P. 5	40' 0''	1.45	4.00	.10
Marcillus, D.....	Hannah	North	P. 5	43' 0''	1.45	4.30	.10
Trew, Wilbert.....	"	"	P. 5	82' 0''	1.45	8.20	.10
Queen Street.....							
Roberts, Jas.....	Queen	East	P. 7	117' 0''	1.45	11.70	.10
Wilds, John.....	Hannah	North	P. 7	45' 0''	1.45	4.50	.10
Davidson, F. H.....	Manley	West	7	112' 0''	1.45	11.20	.10
Manley Street.....							
Steer, Jas.....	Manley	East	7	111' 9 $\frac{1}{2}$ ''	1.45	11.18	.10
McMahon, Henry.....	Russell	West	7	47' 0''	1.45	4.70	.10
King Street.....							
Webber, Mrs. M.....	Hannah	South	P. 6	69' 0''	1.45	6.90	.10
Swales, Ed.....	"	"	P. 6	82' 6''	1.45	8.25	.10
Black, A. S.....	"	"	P. 6				
Midland Avenue.....							
Baptist Church.....	Midland	East	P. 6				
Archer, Jas.....	Hannah	South	P. 6	70' 0''	1.45	7.00	.10
McGill, Hugh.....	Queen	West	P. 6	55' 0''	1.45	5.50	.10
Walker, E. H.....	Hannah	South	P. 6	10' 0''	1.45	1.00	.10
Queen Street.....				66' 0''			
Potts, J. A.....	Queen	East	P. 8	8' 0''	1.45	.80	.10
Gregg, Thos. H.....	Hannah	South	P. 8	54' 0''	1.45	5.40	.10
Moore, Thos.....	Manley	West	P. 8	40' 0''	1.45	4.00	.10
Calder, Locklin.....	Hannah	South	P. 8	40' 0''	1.45	4.00	.10
Peacock, Geo.....	"	"	P. 8	42' 0''	1.45	4.20	.10
Manley Street.....							
Bush, Herman J.....	Manley	East	P. 8	11' 9 $\frac{1}{2}$ ''	1.45	1.18	.10
Hamelin, Lewis.....	Queen	West	P. 8	50' 0''	1.45	5.00	.10
Hopkins, C. B.....	Russell	West	8	47' 0''	1.45	4.70	.10
Russell Street.....							
King Street.....							
Hanley, John, Sr.....	Ellen	North	10	65' 0''	1.45	6.50	.10
Gendron, P. T.....	"	"	P.10	50' 0''	1.45	5.00	.10
Stamp, J., Est.....	"	"	P.10	15' 0''	1.45	1.50	.10
Midland Avenue.....				66' 0''			
Rutherford, F., Sr.....	Midland	East	10	65' 0''	1.45	6.50	.10
Calder, Thos.....	Queen	West	P.10	65' 0''	1.45	6.50	.10
Parson, Mrs. A. D.....	Ellen	North	P.10				

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Queen Street.....				66' 0"			Cents
Walters, Geo. E. ....	Queen	East	P.13	12' 0"	1.45	1.20	.10
Smith, Don., Jr. ....	Ellen	North	P.13	50' 0"	1.45	5.00	.10
Montgomery, J. ....	Manley	West	P.13	40' 0"	1.45	4.00	.10
Stewart, Mrs. E. ....	"	"	P.13	40' 0"	1.45	4.00	.10
Duncan, Robt. ....	"	"	P.13				
Manley Street .....							
Beatty, Percy. ....	Manley	East	P.13	61' 9½"	1.45	6.18	.10
Marcillus, Mrs. M. ....	"	"	P.13	50' 0"	1.45	5.00	.10
Hammond, Mrs. H. ....	Russell	West	P.13	47' 0"	1.45	4.70	.10
Foster, F. B. ....	"	"	P.13				
Russell Street .....							
King Street .....							
McCracken, Robt. ....	Ellen	South	11	65' 0"	1.45	6.50	.10
Bald, J. W. ....	Midland	West	P.11	50' 0"	1.45	5.00	.10
Cummins, Wm. ....	"	"	P.11	50' 0"	1.45	5.00	.10
Burridge, Thos. ....	Ellen	South	P. 11				
Midland Avenue .....							
Bryant, Oliver. ....	Midland	East	11	65' 0"	1.45	6.50	.10
Jones, Wm. ....	Queen	West	11	131' 7"	1.45	13.17	.10
Queen Street.....							
Walters, Chas. ....	Queen	East	P. 14	62' 0"	1.45	6.20	.10
Burke, R. H. ....	Ellen	South	P. 14	50' 0"	1.45	5.00	.10
Perry, Sam. ....	Manley	West	P. 14	54' 0"	1.45	5.40	.10
Long, Ernest .....	Ellen	South	P. 14	58' 0"	1.45	5.80	.10
Manley Avenue.....							
McNamee, J. ....	Manley	East	P. 14	60' 0"	1.45	6.00	.10
Brown, W. J. B. ....	Ellen	South	P. 14	48' 0"	1.45	4.80	.10
Wilson, M. E. ....	"	"	P. 14	53' 0½"	1.45	5.38	.10
McPherson, Wm. ....	"	"	P. 14	50' 0"	1.45	5.00	.10
Pilson, Chas. ....	"	"	P. 14	47' 0"	1.45	4.70	.10
Anderson, Mrs. E. ....	"	"	P. 14	50' 0"	1.45	5.00	.10
Russell Street .....							

Exempt Lots, the assessment upon which is payable by the Corporation.

Railway Street.....				95' 0"	1.45	9.50	.10
Hutchins Est. ....	William	East	10	36' 3"	1.45	3.63	.10
Centre Street .....				66' 0"	1.45	6.60	.10
Chew, Norman. ....	William	East	50	48' 2"	1.45	4.82	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Elizabeth Street . . . . .				66' 0"	1.45	6.60	Cents .10
Yonge Street . . . . .				33' 0"	1.45	3.30	.10
Frank Street . . . . .				66' 0"	1.45	6.60	.10
Gloucester Street . . . . .				66' 0"	1.45	6.60	.10
Bay Street East . . . . .				66' 0"	1.45	6.60	.10
Dominion Avenue . . . . .				66' 0"	1.45	6.60	.10
Hughel Avenue . . . . .				80' 0"	1.45	8.00	.10
Yonge Street . . . . .				33' 0"	1.45	3.30	.10
William Street . . . . .				66' 0"	1.45	6.60	.10
Chew, Wm. . . . .	Yonge	North	1	100' 0"	1.45	10.00	.10
Chew, Wm. . . . .	Fitton		20	70' 0"	1.45	7.00	.10
Fitton Street . . . . .				66' 0"	1.45	6.60	.10
Horrell, Diby. . . . .	Yonge	North	3	33' 0"	1.45	3.30	.10
Battrick, C. W. . . . .	"	"	2	66' 0"	1.45	6.60	.10
Princess Street . . . . .	"	"		66' 0"	1.45	6.60	.10
Kinnee, George . . . . .	"	"	15	83' 8"	1.45	8.38	.10
Russell Street North . . .				66' 0"	1.45	6.60	.10
Courtney, Sarah . . . . .			P. 20	100' 0"	1.45	10.00	.10
Doran, John . . . . .	Manley	East	P. 20	100' 0"	1.45	10.00	.10
Beatty, Martha . . . . .	"	West	P. 20	48' 0"	1.45	4.80	.10
Smith . . . . .	Yonge	North	P. 20	34' 9½"	1.45	3.49	.10
Queen Street North . . .				66' 0"	1.45	6.60	.10
Kerr, Mrs. C. . . . .	"	"		87' 5"	1.45	8.75	.10
No Name . . . . .				10' 5"	1.45	1.05	.10
Midland Avenue . . . . .				80' 0"	1.45	8.00	.10
McLaughlin, R. S. . . . .	Midland	West	P. 1	34' 0"	1.45	3.40	.10
McDonal, E. . . . .			P. 1	50' 0"	1.45	5.00	.10
William Street . . . . .				33' 0"	1.45	3.30	.10
College Street . . . . .				66' 0"	1.45	6.60	.10
Ingram, M. E. . . . .	Manley	East	P. 1	87' 8"	1.45	8.78	.10
Manley Street South . . .				66' 0"	1.45	6.60	.10
Merday, Arthur . . . . .			1	100' 0"	1.45	10.00	.10
McLennan, Alex. . . . .			P. 1	62' 0"	1.45	6.20	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Queen Street.....				66' 0"	1.45	6.60	Cents .10
McGill, John.....			1	100' 0"	1.45	10.00	.10
Whaley, Mert.....			P. 1	100' 0"	1.45	10.00	.10
Midland Avenue.....				66' 0"	1.45	6.60	.10
Scott, W. A.....			P. 1	55' 0"	1.45	5.50	.10
Yonge Street.....				33' 0"	1.45	3.30	.10
Macksey, Jacob.....	Midland	West		66' 0"	1.45	6.60	.10
Hannah Street.....				66' 0"	1.45	6.60	.10
Ellen Street.....				66' 0"	1.45	6.60	.10
Dunn, Robt., Sr.....	Gully			66' 7"	1.45	6.67	.10
Yonge Street.....				33' 0"	1.45	3.30	.10
O'Hare & Sons.....				66' 0"	1.45	6.60	.10
Hannah Street.....				66' 0"	1.45	6.60	.10
Ellen Street.....				66' 0"	1.45	6.60	.10
Smith, Waverly.....	Gully			66' 7"	1.45	6.67	.10
Elizabeth Street.....				34' 0"	1.45	3.40	.10
Nolen, Wm.....	Queen	West	20	65' 2½"	1.45	6.52	.10
Yonge Street.....				66' 0"	1.45	6.60	.10
Trew, W. J.....	Queen	West	5	66' 0"	1.45	6.60	.10
Hannah Street.....				66' 0"	1.45	6.60	.10
Ellen Street.....				66' 0"	1.45	6.60	.10
Jones, W. J.....	Queen	West	11	66' 7"	1.45	6.67	.10
McCauley, Alonzo.....	Gully			66' 7"	1.45	6.67	.10
Dunn, Wm., Sr.....	Gully		17	66' 7"	1.45	6.67	.10
Colborne Street.....				33' 0"	1.45	3.30	.10
Elizabeth Street.....				34' 0"	1.45	3.34	.10
McKnight, Wm.....	Queen	East	11	65' 2½"	1.45	6.52	.10
Smith, Geo. N.....	"	"	20	65' 2½"	1.45	6.52	.10
Yonge Street.....				66' 0"	1.45	6.60	.10
Roberts, James.....	Queen	East	7	50' 0"	1.45	5.00	.10
Hannah Street.....				66' 0"	1.45	6.60	.10

## SCHEDULE No. 1.—Continued.

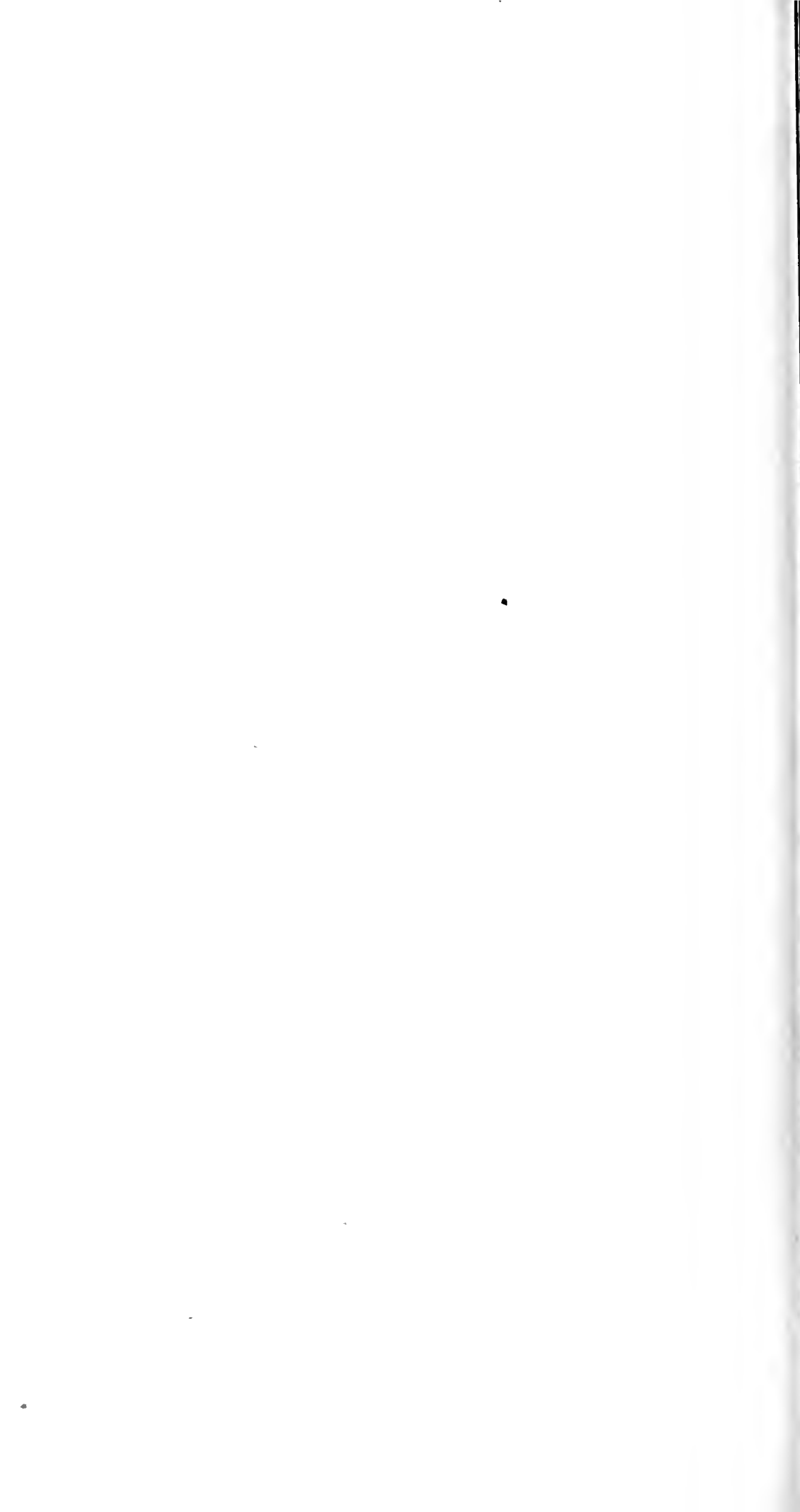
Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and Interest	Annual rate per foot frontage
Ellen Street.....				66' 0''	1.45	6.60	Cents
Walters, Chas.....	Queen	East	14	50' 0''	1.45	5.00	.10
Noquet, John.....	Gully			94' 7''	1.45	9.47	.10
Colborne Street.....				33' 0''	1.45	3.30	.10
Farrow, Wm.....	Manley	West	11	65' 2½''	1.45	6.52	.10
Beatty, Mrs. Martha...	"	"	P. 20	44' 0''	1.45	4.40	.10
Yonge Street.....				66' 0''	1.45	6.60	.10
Davidson, F. H.....	"	"	7	50' 0''	1.45	5.00	.10
Hannah Street.....				66' 0''	1.45	6.60	.10
Peacock, Geo.....	"	"	8	50' 0''	1.45	5.00	.10
Ellen Street.....				66' 0''	1.45	6.60	.10
Long, Ernest.....	"	"	14	50' 0''	1.45	5.00	.10
Delmarter, H.....	Gully		24	44' 7''	1.45	4.47	.10
Horrell Avenue.....				64' 0''	1.45	6.40	.10
Yonge Street.....				66' 0''	1.45	6.60	.10
Steer, James.....	"	East	7	50' 0''	1.45	5.00	.10
Hannah Street.....				66' 0''	1.45	6.60	.10
Beatty, Percy.....	"	"	13	50' 0''	1.45	5.00	.10
Ellen Street.....				66' 0''	1.45	6.60	.10
McNamee, James.....	"	"	14	50' 0''	1.45	5.00	.10
Horrell Avenue.....				33' 0''	1.45	3.30	.10
Kennedy, John.....	Russell	West	9	100' 0''	1.45	10.00	.10
Yonge Street.....				66' 0''	1.45	6.60	.10
Demorest, James.....	"	"	1, 2	100' 0''	1.45	10.00	.10
Hannah Street.....				66' 0''	1.45	6.60	.10
Ellen Street.....				66' 0''	1.45	6.60	.10
Anderson, Mrs. E.....	"	"	14, 15	100' 0''	1.45	10.00	.10
Lockhart, Mrs. M.....	"	Gully		100' 0''	1.45	10.00	.10
Colborne Street.....				33' 0''	1.45	3.30	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
Yonge Street.....				66' 0"	1.45	6.60	Cents .10
Kettle, Mrs. H. J.....	Russell	East	46, 47, 48	100' 0"	1.45	10.00	.10
Hannah Street.....				66' 0"	1.45	6.60	.10
Public School.....			41 to 36	300' 0"	1.45	30.00	.10
Ellen Street.....				66' 0"	1.45	6.60	.10
Colborne Street.....				33' 0"	1.45	3.30	.10
Manley Avenue.....				33' 0"	1.45	3.30	.10
Brandon, L. T.....	Horrell	North	1, 2	92' 0"	1.45	9.20	.10
Letherby, Jas. A.....	"	"	7, 8	44' 0"	1.45	4.40	.10
Russell Street.....				33' 0"			
Russell, R. K.....	"	South	15	92' 0"	1.45	9.20	.10
Macksey, Jacob.....	Midland	West	P. 5	34' 0"	1.45	3.40	.10
Midland Avenue.....				66' 0"	1.45	6.60	.10
O'Hare & Sons.....	"	East	5	34' 0"	1.45	3.40	.10
Queen Street.....				66' 0"	1.45	6.60	.10
Davidson, F. H.....	Manley	West	7	50' 0"	1.45	5.00	.10
Steer, Jas.....	"	East	7	50' 0"	1.45	5.00	.10
McMahon, Henry.....	Russell	West	7	100' 0"	1.45	10.00	.10
Black, A. S.....			P. 6	82' 6"	1.45	8.26	.10
Midland Avenue.....				66' 0"	1.45	6.60	.10
Baptist Church.....	Midland	East	P. 6	95' 0"	1.45	9.50	.10
Walker, E. H.....			P. 6	100' 0"	1.45	10.00	.10
Queen Street.....				66' 0"	1.45	6.60	.10
Potts, J. A.....	Queen	East	P. 8	100' 0"	1.45	10.00	.10
Manley Street.....				66' 0"	1.45	6.60	.10
Bush, H. J.....	Manley	East	P. 8	100' 0"	1.45	10.00	.10
Hopkins, C. B.....	Russell	West	8	100' 0"	1.45	10.00	.10
Hanley, J., Sr.....	Ellen	North	10	100' 0"	1.45	10.00	.10
Stamp, J., Est.....	Midland	West	P. 10	100' 0"	1.45	10.00	.10
Midland Avenue.....				66' 0"	1.45	6.60	.10
Rutherford, F.....	Midland	West	10	100' 0"	1.45	10.00	.10
Parsons, Mrs. C.....			P. 10	100' 0"	1.45	10.00	.10

## SCHEDULE No. 1.—Continued.

Name of owner	Street	Side of Street	Lot assessed	No. of feet assessed	Total cost per foot frontage	Amount to be paid annually to pay debt and interest	Annual rate per foot frontage
							Cents
Queen Street.....				66' 0"	1.45	6.60	.10
Walters, C. E.....	Queen	East	P. 13	100' 0"	1.45	10.00	.10
Duncan, Robt.....	Manley	West	P. 13	82' 0"	1.45	8.20	.10
Manley Avenue.....				66' 0"	1.45	6.60	.10
Beatty, Percy.....	"	East	P. 13	50' 0"	1.45	5.00	.10
Foster, F. B.....	Russell	West	P. 13	100' 0"	1.45	10.00	.10
McCracken, Robt.....	Ellen	South	11	100' 0"	1.45	10.00	.10
Burridge, Thos.....	"	"	11	65' 0"	1.45	6.50	.10
Bryant, Oliver.....	Midland	East	11	100' 0"	1.45	10.00	.10
Jones, Wm.....	Queen	West	11	33' 3"	1.45	3.33	.10
Walters, Chas.....	"	East	P. 14	50' 0"	1.45	5.00	.10
Long, Ernest.....			P. 14	50' 0"	1.45	5.00	.10
Manley Avenue.....				66' 0"	1.45	6.60	.10
Macksey, J. A.....	Gully			66' 7"	1.45	6.67	.10







4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of Midland.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. JOHNSTON (Simcoe).

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Sturgeon Falls.

**W**HEREAS the Corporation of the Town of Sturgeon Falls has, by petition represented that the said corporation has incurred a floating debt of \$25,000 of which the sum of \$15,000 was incurred in building bridges and approaches thereto; \$3,500 for filling in a gully in the line of King Street and necessary drainage thereto; the sum of \$2,500 in payment of the debts of the Agricultural Association and acquiring the exhibition grounds from such association, and the balance of \$4,000 in opening and grading highways, all of which said public improvements are of a permanent and necessary nature and were constructed in the said town; and whereas the said corporation is desirous of borrowing \$20,000 by a special issue of debentures to pay the cost of acquiring land for the erection of a fire hall, the purchase and installation of a fire alarm system, and the purchase of chemical and fire engines, trucks and apparatus, and that to liquidate the said floating debt, and provide for the purchase of said fire apparatus forthwith in addition to meeting the current annual expense would be unduly oppressive on the ratepayers; and whereas the existing debenture debt of the said corporation amounts to \$131,402.83, of which no part of the principal or interest is in arrear; and whereas the amount of the whole rateable property of the said Town of Sturgeon Falls, according to the last revised assessment roll is \$1,890,090; and whereas the said corporation has prayed that an Act may be passed to authorize the said corporation to borrow \$45,000 to issue debentures for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Sturgeon Falls Act, 1923.*

Floating  
debt consoli-  
dated at  
\$25,000

**2.** The floating debt of the Corporation of the Town of Sturgeon Falls is consolidated at the sum of \$25,000 and the said corporation may raise by way of loan on the credit of the debentures hereinafter mentioned and by this Act authorized to be issued from any person the sum of \$25,000 to pay off the said consolidated debt.

Power to  
borrow  
\$20,000 for  
fire hall and  
equipment

**3.** The said corporation may raise by way of loan on the credit of the debentures hereinafter mentioned and by this Act authorized to be issued from any person the sum of \$20,000, to pay for the cost of acquiring land for the erection of a fire hall, the purchase and installation of a fire alarm system and the purchase of chemical and fire engines, trucks and apparatus.

Issue of  
debentures  
to pay  
floating  
debt.

**4.—(1)** The said corporation may pass a by-law or by-laws providing for the issue of debentures under their corporate seal signed by the mayor and countersigned by the treasurer for the time being in such sums of not less than \$100 and not exceeding \$25,000 to pay for the whole of the said floating debt, as the said corporation may from time to time direct, and the principal secured by the said debentures and the interest accruing thereon may be payable at such place or places as the said corporation may deem expedient.

Issue of  
debentures  
for fire hall  
and  
equipment

**(2)** The said corporation may pass a by-law or by-laws providing for the issue of debentures under their corporate seal signed by the mayor and countersigned by the treasurer for the time being for such sums of not less than \$100 and not exceeding \$20,000, to pay for the whole cost of acquiring land for the erection of a fire hall, the purchase and installation of a fire alarm system and the purchase of chemical and fire engines, trucks and apparatus, as the said corporation may from time to time direct, the principal sum secured by the said debentures and the interest accruing thereon may be payable at such place or places as the said corporation may deem expedient.

Term of  
debentures;  
interest rate;  
floating  
debt.

**5.—(1)** The said debentures, which shall be issued to pay off the said consolidated debts in the amount of \$25,000 shall be payable in not more than 10 years from the date of the issue thereof, and shall bear interest at a rate not exceeding 6% per annum and may be issued with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Fire hall  
and  
equipment.

**(2)** The said debentures, which shall be issued to pay for the cost of acquiring land for the erection of a fire hall, the purchase and installation of a fire alarm system and the

purchase of chemical and fire engines, trucks and apparatus, in the amount of \$20,000 shall be payable in not more than 20 years from the date of the issue thereof, and shall bear interest at a rate not exceeding 6% per annum and may be issued with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

**6.** The said debentures may be issued payable in equal Equal annual instalments of principal and interest. annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as possible to what is payable for principal and interest during each of the other years of the period within which the debts are to be discharged.

**7.** The said corporation shall levy in addition to all Special rate. other rates to be levied in each year a special rate sufficient to pay the amount falling due annually for principal and interest in respect of the debentures to be issued under this Act.

**8.** The said debentures and all moneys arising therefrom Application of proceeds of issue. shall be applied by the said corporation in payment of the said floating debt of \$25,000 and in payment of the sum of \$20,000 for the erection of a fire hall, the purchase and installation of a fire alarm system and the purchase of chemical and fire engines, trucks and apparatus and for no other purposes whatsoever.

**9.** Any by-law under the provisions of this Act shall not Repeal of by-laws. be repealed until the debt created under such by-law and the interest thereon shall be paid and satisfied.

**10.** It shall not be necessary to obtain the consent of Consent of electors. the electors of the said Town of Sturgeon Falls to the passing of any by-law or by-laws, which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*.

**11.** It shall be the duty of the treasurer from time to Treasurer to keep proper books of account. time of the said town to keep and it shall be the duty of each of the members from time to time of the said Municipal Council to procure such treasurer to keep, and see that he does keep a proper book of account setting forth the full particulars of each debenture, which shall from time to time be issued under the powers conferred by this Act and the amounts derived from the sale thereof and such book of account shall be open to inspection by any ratepayers of the said town at all reasonable hours.

Effect of Act  
on liability  
for indebted-  
ness.

**12.** Nothing in this Act contained shall be held or taken to discharge the Corporation of the Town of Sturgeon Falls from any indebtedness or liability included in the said floating debt of \$25,000 nor the said debenture debt of \$20,000.

Provisions  
1922, c. 72;  
irregularity  
in form not  
to invalidate.

**13.** Any provisions of *The Consolidated Municipal Act, 1922*, which are inconsistent with the provisions of this Act, shall not apply to the by-law or by-laws to be passed under the provisions of this Act and no irregularity in form of the said debentures or any of them authorized to be issued by this Act or any by-law or by-laws authorizing the issue thereof shall render the same invalid or illegal, or to be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or by-laws or issue of debentures or as to the application of the proceeds thereof.

Assessment  
and rate  
confirmed.

**14.** The said rate when so levied upon the said assessment in the manner provided by law shall be valid and binding upon the said ratepayers and the rateable property in said assessment set forth and shall not be questioned in any court of law, and shall be collected in the same manner and with the same power as annual rates are collected.

Disposition  
of  
debentures.

**15.** The said corporation, may for the purpose mentioned in section 8 hereof raise money by way of loan on the said debentures, or sell or dispose of said debentures from time to time as they may deem expedient.









No. 47.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of Sturgeon  
Falls.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. MAGEAU.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty

# BILL

An Act respecting the Town of Sturgeon Falls.

**W**HEREAS the Corporation of the Town of Sturgeon Falls has, by petition represented that the said corporation has incurred a floating debt of \$25,000 of which the sum of \$15,000 was incurred in building bridges and approaches thereto; \$3,500 for filling in a gully in the line of King Street and necessary drainage thereto; the sum of \$2,500 in payment of the debts of the Agricultural Association and acquiring the exhibition grounds from such association, and the balance of \$4,000 in opening and grading highways, all of which said public improvements are of a permanent and necessary nature and were constructed in the said town; and whereas the said corporation is desirous of borrowing \$20,000 by a special issue of debentures to pay the cost of acquiring land for the erection of a fire hall, the purchase and installation of a fire alarm system, and the purchase of chemical and fire engines, trucks and apparatus, and that to liquidate the said floating debt, and provide for the purchase of said fire apparatus forthwith in addition to meeting the current annual expense would be unduly oppressive on the ratepayers; and whereas the existing debenture debt of the said corporation amounts to \$131,402.83, of which no part of the principal or interest is in arrear; and whereas the amount of the whole rateable property of the said Town of Sturgeon Falls, according to the last revised assessment roll is \$1,890,090; and whereas the said corporation has prayed that an Act may be passed to authorize the said corporation to borrow \$45,000 to issue debentures for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition. Preamble

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Sturgeon Falls Act, 1923.* Short title.

Floating  
debt consoli-  
dated at  
\$25,000.

**2.** The floating debt of the Corporation of the Town of Sturgeon Falls is consolidated at the sum of \$25,000 and the said corporation may raise by way of loan on the credit of the debentures hereinafter mentioned and by this Act authorized to be issued from any person the sum of \$25,000 to pay off the said consolidated debt.

Power to  
borrow  
\$20,000 for  
fire hall and  
equipment.

**3.** The said corporation may raise by way of loan on the credit of the debentures hereinafter mentioned and by this Act authorized to be issued from any person the sum of \$20,000, to pay for the cost of acquiring land *and* for the erection *thereon* of a fire hall, the purchase and installation of a fire alarm system and the purchase of chemical and fire engines, trucks and apparatus.

Issue of  
debentures  
to pay  
floating  
debt.

**4.—(1)** The said corporation may pass a by-law or by-laws providing for the issue of debentures under their corporate seal signed by the mayor and countersigned by the treasurer for the time being in such sums of not less than \$100 and not exceeding \$25,000 to pay for the whole of the said floating debt, as the said corporation may from time to time direct, and the principal secured by the said debentures and the interest accruing thereon may be payable at such place or places as the said corporation may deem expedient.

Issue of  
debentures  
for fire hall  
and  
equipment

**(2)** The said corporation may pass a by-law or by-laws providing for the issue of debentures under their corporate seal signed by the mayor and countersigned by the treasurer for the time being for such sums of not less than \$100 and not exceeding \$20,000, to pay for the whole cost of acquiring land for the erection of a fire hall, the purchase and installation of a fire alarm system and the purchase of chemical and fire engines, trucks and apparatus, as the said corporation may from time to time direct, the principal sum secured by the said debentures and the interest accruing thereon may be payable at such place or places as the said corporation may deem expedient.

Term of  
debentures;  
interest rate;  
floating  
debt

**5.—(1)** The said debentures, which shall be issued to pay off the said consolidated debts in the amount of \$25,000 shall be payable in not more than 10 years from the date of the issue thereof, and shall bear interest at a rate not exceeding 6% per annum and may be issued with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Fire hall  
and  
equipment.

**(2)** The said debentures, which shall be issued to pay for the cost of acquiring land for the erection of a fire hall, the purchase and installation of a fire alarm system and the

purchase of chemical and fire engines, trucks and apparatus, in the amount of \$20,000 shall be payable in not more than 20 years from the date of the issue thereof, and shall bear interest at a rate not exceeding 6% per annum and may be issued with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

6. The said debentures may be issued payable in equal annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as possible to what is payable for principal and interest during each of the other years of the period within which the debts are to be discharged. Equal annual instalments of principal and interest

7. The said corporation shall levy in addition to all other rates to be levied in each year a special rate sufficient to pay the amount falling due annually for principal and interest in respect of the debentures to be issued under this Act. Special rate.

8. The said debentures and all moneys arising therefrom shall be applied by the said corporation in payment of the said floating debt of \$25,000 and in payment of the sum of \$20,000 for the erection of a fire hall, the purchase and installation of a fire alarm system and the purchase of chemical and fire engines, trucks and apparatus and for no other purposes whatsoever. Application of proceeds of issue.

9. Any by-law under the provisions of this Act shall not be repealed until the debt created under such by-law and the interest thereon shall be paid and satisfied. Repeal of by-laws.

10. It shall not be necessary to obtain the consent of the electors of the said Town of Sturgeon Falls to the passing of any by-law or by-laws, which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*. Consent of electors.

11. It shall be the duty of the treasurer from time to time of the said town to keep and it shall be the duty of each of the members from time to time of the said Municipal Council to procure such treasurer to keep, and see that he does keep a proper book of account setting forth the full particulars of each debenture, which shall from time to time be issued under the powers conferred by this Act and the amounts derived from the sale thereof and such book of account shall be open to inspection by any ratepayers of the said town at all reasonable hours. Treasurer to keep proper books of account.

Effect of Act  
on liability  
for indebted-  
ness.

**12.** Nothing in this Act contained shall be held or taken to discharge the Corporation of the Town of Sturgeon Falls from any indebtedness or liability included in the said floating debt of \$25,000 nor the said debenture debt of \$20,000.

Provisions  
1922, c. 72;  
irregularity  
in form not  
to invalidate.

**13.** Any provisions of *The Consolidated Municipal Act, 1922*, which are inconsistent with the provisions of this Act, shall not apply to the by-law or by-laws to be passed under the provisions of this Act and no irregularity in form of the said debentures or any of them authorized to be issued by this Act or any by-law or by-laws authorizing the issue thereof shall render the same invalid or illegal, or to be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or by-laws or issue of debentures or as to the application of the proceeds thereof.

Assessment  
and rate  
confirmed.

**14.** The said rate when so levied upon the said assessment in the manner provided by law shall be valid and binding upon the said ratepayers and the rateable property in said assessment set forth and shall not be questioned in any court of law, and shall be collected in the same manner and with the same power as annual rates are collected.

Disposition  
of  
debentures.

**15.** The said corporation, may for the purpose mentioned in section 8 hereof raise money by way of loan on the said debentures, or sell or dispose of said debentures from time to time as they may deem expedient.









4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of Sturgeon  
Falls.

1st Reading,	9th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private Bills  
Committee.)*

MR. MAGEAU.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Toronto Free Hospital for Consumptives.

**W**HEREAS Toronto Free Hospital for Consumptives has by Preamble.  
petition represented that it was incorporated by an Act  
passed in the sixth year of the reign of His late Majesty King  
Edward the Seventh, chaptered 144, intituled *An Act respect-*  
*ing Toronto Free Hospital for Consumptives*, under the name of  
"Toronto Free Hospital for Consumptives"; and whereas  
the petitioner has prayed that an Act may be passed changing  
the name of the corporation to "Toronto Hospital for Con-  
sumptives"; and whereas it is expedient to grant the prayer  
of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:—

**1.** This Act may be cited as *The Toronto Hospital for* Short title.  
*Consumptives Act, 1923.*

**2.** The name of "Toronto Free Hospital for Consump-  
tives," is hereby changed to "Toronto Hospital for  
Consumptives." 1906, c. 144,  
amended—  
Change of  
name.

**3.** Nothing in this Act contained shall be deemed to alter Effect of  
or affect the rights or liabilities of the said corporation nor Act.  
any suit or proceeding now pending or judgment existing  
either by or in favour of or against the said corporation,  
which, notwithstanding such change in the name may be  
prosecuted, continued, completed and enforced as if this  
Act had not been passed.

**4.** This Act shall come into force and take effect on the Commence-  
day upon which it receives the Royal Assent. ment of  
Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Toronto Free  
Hospital for Consumptives.

1st Reading.	1923.
2nd Reading.	1923.
3rd Reading.	1923.

(*Private Bill.*)

MR. J. W. CURRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Toronto.

**W**HEREAS the Corporation of the City of Toronto has preamble.  
by petition prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is ex-  
pedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario enacts as follows:—

**1.** The Council of the Corporation of the City of Toronto Purchase of  
may from time to time enter into agreements with any outstanding  
person, persons, firm, company or corporation for the pur- debentures  
chase, before maturity, by such person, persons, firm, by corpora-  
company or corporation of outstanding debentures of the tion.  
Corporation at a price not exceeding that fixed by the Cor-  
poration and for the delivery to the Corporation of such  
debentures as may be purchased at a fixed price in exchange  
for other debentures which the Corporation may issue as  
hereinafter provided.

**2.** The said Corporation may from time to time without Assent of  
submitting the same to the electors qualified to vote on electors not  
money by-laws pass a by-law or by-laws for the issue of required.  
“City of Toronto General Consolidated Loan Debentures”  
to raise such sums as may be required to purchase such  
debentures before maturity.

**3.** The debentures so bought in under the provisions Cancellation  
of the foregoing sections shall be cancelled and no further of de-  
taxation shall be levied by the Corporation to meet any bentures  
payments of principal, interest or any part thereof which purchased.  
would have become payable had such debentures not been  
bought in.

**4.** The amount of the debentures issued in pursuance of Borrowing  
the foregoing powers shall not be included in the Corporation's power of  
debt in estimating the borrowing powers of the said Cor- corporation  
poration, until the cancellation of the debentures bought in. not affected.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the City of Toronto.

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1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

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(*Private Bill.*)

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MR. THOMPSON.

TORONTO:  
PRINTED BY CLARRISON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to incorporate a part of the Township of York as the Township of East York.

**W**HEREAS the Council of the Township of York has <sup>Preamble.</sup> by petition represented that the said township occupies a large area stretching for several miles from the east to the west adjoining the City of Toronto, and is divided into the two parts by the said City of Toronto; that said township has become thickly populated and requires increased attention in administering to the requirements of the people in the said township, and has further represented that greater efficiency and more satisfactory administration may be given if a portion of the said township should be detached from the township and incorporated as a separate municipality; and whereas in view of such condition the said petitioners have prayed that an Act be passed separating the said districts hereinafter more particularly described, and incorporating it as the Township of East York; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Township of East York* <sup>Short title.</sup> *Act, 1923.*

**2.**—(1) It shall be the duty of the Corporation of the Township of York within five weeks after the day on which <sup>Question of separation—  
submission to electors.</sup> this section comes into force to submit to the municipal electors in that part of the Township of York described as bounded on the north by the Township of North York, on the east by the Township of Scarboro and on the south and on the west by the City of Toronto, the following question:—

“Are you in favor of the incorporation of the eastern part of the Township of York, as set out in the Act of the Legislature of Ontario passed in 1923, as the Township of East York?”

Polling subdivisions.

(2) The polling subdivisions shall be the same as nearly as may be, as at the last municipal election. The clerk of the Township of York shall be the returning officer for the taking of the said vote and the voters' list for the year 1922 as finally revised shall be the list used in the preparation of the voters' list for the taking of the said vote.

Application of 1922, c. 72.

(3) The provisions of *The Consolidated Municipal Act, 1922* shall apply to the taking of the said vote.

Commencement of section.

(4) This section shall come into force on the day upon which this Act receives the Royal Assent.

Declaration of result of vote upon question.

**3.** If a majority of those voting vote in the affirmative in answer to the question submitted according to the declaration of the result of the clerk of the Township of York, the following sections of this Act shall come into force on the day following such declaration. The declaration shall be made not later than noon of the Tuesday following the election.

Incorporation of Township of East York.

**4.** Upon, from and after the 31st day of December, 1923, the inhabitants of that part of the Township of York, which may be described as bounded on the north by the Township of North York, on the east by the Township of Scarborough, and on the south and on the west by the City of Toronto, shall constitute a corporation or body politic, separate and apart from the Township of York, under the name of the Corporation of the Township of East York, and as such shall enjoy all the rights and privileges, and be subject to all the duties and liabilities appertaining to incorporated townships, and the said part of the said Township of York hereinbefore described shall from and after the said 31st day of December, 1923, be detached from the Township of York, and shall form a separate and independent township.

Adjustment of assets and liabilities.

**5.—(1)** The provisions of *The Consolidated Municipal Act, 1922* as to matters consequent on the separation of a junior township from a union of townships including the adjustment of assets, debts, arrears of taxes, contracts and liabilities, shall apply, except,

(a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board.

Arbitration.

(2) The said board for the purposes of this Act shall be deemed to be the Board of Arbitrators appointed under *The Consolidated Municipal Act, 1922*, and the award of the board shall be final and conclusive and without appeal.



(3) For the purposes of this section the Township of York shall be deemed to be the senior township and the Township of East York, the junior township.

**6.**—(1) William A. Clarke, Clerk of the Township of York (or the acting clerk of such township for the time being), is hereby appointed Returning Officer at the first election in the Township of East York.

(2) A meeting of electors for the nomination of candidates for Reeve, Deputy-Reeves and Councillors for the Township of East York shall be held at two o'clock in the afternoon on Friday, the 21st day of December, 1923, at 40 Jarvis Street, Toronto, of which nomination the Returning Officer shall give six days' notice by posting the same up in at least six conspicuous places in the said Township of East York, and the polling in case a poll is required shall be held on the 1st day of January, 1924.

(3) The Returning Officer shall preside at the nomination meeting, and in case of his absence the electors present shall choose from among themselves a chairman to preside at the said nominations, and such chairman shall have all the powers of a Returning Officer, and the Returning Officer or chairman shall at the close of the nomination announce the polling places for the said election.

(4) The polling subdivisions shall be according to the last revised voters' list and the polling places shall be those fixed by the Council of the Township of York under the provisions of the Statutes in that behalf.

(5) Except as herein otherwise provided, the provisions of *The Consolidated Municipal Act, 1922*, shall apply as if the election were being held under that Act.

**7.** The said Returning Officer, by this warrant, shall appoint a Deputy Returning Officer for each of the polling subdivisions, and such Returning Officer and each Deputy Returning Officer shall, before the holding of the said election, take the oath or affirmation required by law, and shall be subject to all the provisions of *The Consolidated Municipal Act, 1922*, applicable to Returning Officers at elections in townships in so far as the same do not conflict with this Act and the said Returning Officer shall have all the powers and perform all the duties devolving on Township Clerks with respect to the elections in townships.

**8.** The first meeting of the Council shall be held at 11 o'clock on Monday, the 14th day of January, 1924, and

shall be held at 40 Jarvis Street, Toronto. Subsequent meetings of the Council shall be held at such place as the Council from time to time appoints.

Number of  
councillors.

**9.** At the first election, the Council of the Township of East York shall consist of a Reeve, three Deputy-Reeves and one Councillor, and at the next annual election and thereafter the number of Deputy-Reeves and Councillors shall be determined by *The Consolidated Municipal Act, 1922*.

Wards.

**10.** The Council of the Township of East York is hereby authorized to divide the said township into wards as it may deem expedient, and to provide for the representation of such wards in Council.

Applications  
of pro-  
visions, Rev.  
Stat. 1914,  
c. 195 and  
special Acts.

**11.** The provisions of section 23 of *The Assessment Act* as to the assessment of lands of non-residents and the provisions of section 192 of that Act relating to the collection of arrears of taxes on land and the sale of land for arrears of taxes shall apply to the Township of East York as if the Township of East York were specially named therein, and the provisions of all special Acts of this Legislature relating to the Township of York, in as far as they are applicable, shall apply to and be in force in the Township of East York.

Arrears of  
taxes—  
lists—  
collection.

**12.** The Treasurer of the Township of York shall furnish the Council of the Township of East York with a full and complete list of all lands in arrear for taxes at the time of the coming in force of this Act, and the Reeve and the Treasurer of the Township of East York shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the said officers in the Township of York. The Reeve and Officers of the Township of York shall have full power and authority to make deeds for lands heretofore sold by the Treasurer of the Township of York for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed.

Issue of  
debentures  
to pay  
balance of  
adjust-  
ments.

**13.** For the purpose of providing moneys which may be required for the payment of any debt which may be found due or owing by the Township of East York to the Township of York, the Municipal Council of the Township of East York may issue debentures payable within a period not exceeding twenty years and bearing such rate of interest as may be determined by the said Council to pay such debt, and it shall not be necessary to obtain the assent of the electors to any by-law for the issuing of such debentures.

**14.** All expenses incurred in obtaining this Act, including <sup>Expenses of Act,</sup> the expenses and charges incurred in submitting the question provided by section 2, the furnishing of any documents, copies of papers, writings, deeds, the remuneration of the Clerk of the Township of York for services under this Act or any matter whatsoever required by the Clerk or other officer of the said Township of East York or otherwise, shall be borne by the said Township of East York and the Township of York and paid by them to any person entitled thereto, in proportion to their respective assessments.





4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate a part of the Town-  
ship of York as the Township of  
East York.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to incorporate a part of the Township of York as the Township of East York.

**W**HEREAS the Council of the Township of York has <sup>Preamble.</sup> by petition represented that the said township occupies a large area stretching for several miles from the east to the west adjoining the City of Toronto, and is divided into the two parts by the said City of Toronto; that said township has become thickly populated and requires increased attention in administering to the requirements of the people in the said township, and has further represented that greater efficiency and more satisfactory administration may be given if a portion of the said township should be detached from the township and incorporated as a separate municipality; and whereas in view of such condition the said petitioners have prayed that an Act be passed separating the said districts hereinafter more particularly described, and incorporating it as the Township of East York; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Township of East York Act, 1923.* <sup>Short title.</sup>

2.—(1) It shall be the duty of the Corporation of the Township of York within *eight* weeks after the day on which this section comes into force to submit to the municipal electors in that part of the Township of York described as bounded on the north by the Township of North York, on the east by the Township of Scarboro and on the south and on the west by the City of Toronto, the following question:—

<sup>Question of separation—  
submission  
to electors.</sup>

“Are you in favor of the incorporation of the eastern part of the Township of York, as set out in the Act of the Legislature of Ontario passed in 1923, as the Township of East York?”

Polling sub-  
divisions.

(2) The polling subdivisions shall be the same as nearly as may be, as at the last municipal election. The clerk of the Township of York shall be the returning officer for the taking of the said vote and the voters' list for the year 1922 as finally revised shall be the list used in the preparation of the voters' list for the taking of the said vote.

Application  
of 1922, c. 72.

(3) The provisions of *The Consolidated Municipal Act, 1922* shall apply to the taking of the said vote, and the said vote shall be taken on a Saturday.

Commence-  
ment of  
section.

(4) Subject to the provisions of section 15 this section shall come into force on the day upon which this Act receives the Royal Assent.

Declaration  
of result of  
vote upon  
question.

3. If a majority of those voting vote in the affirmative in answer to the question submitted according to the declaration of the result of the clerk of the Township of York, the following sections of this Act shall come into force on the day following such declaration. The declaration shall be made not later than noon of the Tuesday following the election.

Incorporation  
of  
Township  
of East York.

4. Upon, from and after the 31st day of December, 1923, the inhabitants of that part of the Township of York, which may be described as bounded on the north by the Township of North York, on the east by the Township of Scarborough, and on the south and on the west by the City of Toronto, shall constitute a corporation or body politic, separate and apart from the Township of York, under the name of the Corporation of the Township of East York, and as such shall enjoy all the rights and privileges, and be subject to all the duties and liabilities appertaining to incorporated townships, and the said part of the said Township of York hereinbefore described shall from and after the said 31st day of December, 1923, be detached from the Township of York, and shall form a separate and independent township.

Adjustment  
of assets and  
liabilities.

5.—(1) The provisions of *The Consolidated Municipal Act, 1922* as to matters consequent on the separation of a junior township from a union of townships including the adjustment of assets, debts, arrears of taxes, contracts and liabilities, shall apply, except,

(a) All matters in dispute between the two corporations shall be determined by the Ontario Railway and Municipal Board.

Arbitration.

(2) The said board for the purposes of this Act shall be deemed to be the Board of Arbitrators appointed under *The Consolidated Municipal Act, 1922*, and the award of the board shall be final and conclusive and without appeal.



(3) For the purposes of this section the Township of York shall be deemed to be the senior township and the Township of East York, the junior township.

**6.**—(1) William A. Clarke, Clerk of the Township of York (or the acting clerk of such township for the time being), is hereby appointed Returning Officer at the first election in the Township of East York.

(2) A meeting of electors for the nomination of candidates for Reeve, Deputy-Reeves and Councillors for the Township of East York shall be held at two o'clock in the afternoon on Friday, the 21st day of December, 1923, at 40 Jarvis Street, Toronto, of which nomination the Returning Officer shall give six days' notice by posting the same up in at least six conspicuous places in the said Township of East York, and the polling in case a poll is required shall be held on the 1st day of January, 1924.

(3) The Returning Officer shall preside at the nomination meeting, and in case of his absence the electors present shall choose from among themselves a chairman to preside at the said nominations, and such chairman shall have all the powers of a Returning Officer, and the Returning Officer or chairman shall at the close of the nomination announce the polling places for the said election.

(4) The polling subdivisions shall be according to the last revised voters' list and the polling places shall be those fixed by the Council of the Township of York under the provisions of the Statutes in that behalf.

(5) Except as herein otherwise provided, the provisions of *The Consolidated Municipal Act, 1922*, shall apply as if the election were being held under that Act.

**7.** The said Returning Officer, by this warrant, shall appoint a Deputy Returning Officer for each of the polling subdivisions, and such Returning Officer and each Deputy Returning Officer shall, before the holding of the said election, take the oath or affirmation required by law, and shall be subject to all the provisions of *The Consolidated Municipal Act, 1922*, applicable to Returning Officers at elections in townships in so far as the same do not conflict with this Act and the said Returning Officer shall have all the powers and perform all the duties devolving on Township Clerks with respect to the elections in townships.

**8.** The first meeting of the Council shall be held at 11 o'clock on Monday, the 14th day of January, 1924, and

shall be held at 40 Jarvis Street, Toronto. Subsequent meetings of the Council shall be held at such place as the Council from time to time appoints.

Number of  
councillors.

**9.** At the first election, the Council of the Township of East York shall consist of a Reeve, three Deputy-Reeves and one Councillor, and at the next annual election and thereafter the number of Deputy-Reeves and Councillors shall be determined by *The Consolidated Municipal Act, 1922*.

Wards.

**10.** The Council of the Township of East York is hereby authorized to divide the said township into wards as it may deem expedient, and to provide for the representation of such wards in Council.

Applications  
of pro-  
visions Rev.  
Stat. 1914,  
c. 195 and  
special Acts.

**11.** The provisions of section 23 of *The Assessment Act* as to the assessment of lands of non-residents and the provisions of section 192 of that Act relating to the collection of arrears of taxes on land and the sale of land for arrears of taxes shall apply to the Township of East York as if the Township of East York were specially named therein, and the provisions of all special Acts of this Legislature relating to the Township of York, in as far as they are applicable, shall apply to and be in force in the Township of East York.



Arrears of  
taxes—  
lists—  
collection.

**12.** The Treasurer of the Township of York shall furnish the Council of the Township of East York with a full and complete list of all lands in arrear for taxes at the time of the coming in force of this Act, and the Reeve and the Treasurer of the Township of East York shall perform the like duties in the collection and management of the taxes at present in arrear as are performed by the said officers in the Township of York. The Reeve and Officers of the Township of York shall have full power and authority to make deeds for lands heretofore sold by the Treasurer of the Township of York for taxes, if such lands are not redeemed, and to do all acts necessary or expedient to complete the sales of lands or the redemption of same in as full a manner as if this Act had not been passed.

Issue of  
debentures  
to pay  
balance of  
adjust-  
ments.

**13.** For the purpose of providing moneys which may be required for the payment of any debt which may be found due or owing by the Township of East York to the Township of York, the Municipal Council of the Township of East York may issue debentures payable within a period not exceeding twenty years and bearing such rate of interest as may be determined by the said Council to pay such debt, and it shall not be necessary to obtain the assent of the electors to any by-law for the issuing of such debentures.

**14.** All expenses incurred in obtaining this Act, including <sup>Expenses of Act.</sup> the expenses and charges incurred in submitting the question provided by section 2, the furnishing of any documents, copies of papers, writings, deeds, the remuneration of the Clerk of the Township of York for services under this Act or any matter whatsoever required by the Clerk or other officer of the said Township of East York or otherwise, shall be borne by the said Township of East York and the Township of York and paid by them to any person entitled thereto, in proportion to their respective assessments.

 **15.** This Act shall not come into force unless the vote <sup>Commence-ment of Act</sup> upon the question required by *The Town of Mount Dennis Act, 1923*, or the vote upon the question required by *The City of York City Act, 1923*, or the vote upon the question required by *The Town of Humbervale Act, 1923*, or any one of them shall under the provisions of the said Acts be declared to be in the negative and if a negative declaration be so made this Act shall come into force upon the day following such declaration. 





4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate a part of the Town-  
ship of York as the Township of  
East York.

1st Reading,	6th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private Bills  
Committee.)*

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Ottawa.

**W**HEREAS the corporation of the City of Ottawa has by <sup>Preamble</sup> its petition represented, that by section 10 of an Act passed in the seventh year of the reign of His Majesty, King George the fifth, chaptered 79, and intituled "An Act respecting the City of Ottawa," it is, amongst other things, provided that the treasurer of the corporation of the City of Ottawa should prepare and lay before the council of the said corporation in the year 1917, and in each year thereafter, previous to the striking of the annual rate, a statement in writing showing the total amount on the 31st day of December then next preceding, at the credit of the sinking funds of the corporation, classified as provided by said section; that it is by the said section of the said Act further provided that whenever by reason of the sinking funds, or any of them, having earned interest at a higher rate than that estimated, or if from any other cause, the total amount at the credit of all the sinking funds of any of the specified classes, as shown by the said statement, should exceed by an amount greater than five per cent., the amount which would at such date have been at the credit of such sinking funds, if all the sums required by law to be paid annually into such sinking funds had been paid therein, and if they had earned interest at the rates estimated in the by-laws under which they were established, the corporation might provide by by-law to be passed without obtaining the assent of the electors thereto, for applying such balance or excess for making payment of any sums required by law to be raised under any debenture by-law of the corporation for interest or sinking fund; that the said treasurer did in the year 1917, and annually thereafter, prepare and lay before the council the statements as in the said Act provided; that the said corporation has applied for interest and sinking fund purposes, out of the excess earnings of the said sinking funds, as shown by the said statements: In 1917, \$95,500; in 1918, \$99,500; in 1919, \$85,000; in 1920, \$112,000; in 1921, \$102,000, and in 1922, \$146,000; and that the council of the said corporation inadvertently omitted, in the said years, to pass by-laws authorizing the application of such excess earnings for interest and sinking

fund purposes; and whereas the corporation has by its petition prayed for the passing of an Act validating and confirming the application of the said sums; and whereas the said corporation has by its said petition represented that on the sale of certain debentures of the corporation, made in the years 1921 and 1922, it received a premium over and above the par value thereof, amounting in all to \$157,299.22, and that it is desirable that it should be authorized to expend the said sum for the general purposes of the corporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The City of Ottawa Sinking Fund Act, 1923*.

Application of earnings of sinking fund confirmed.

**2.** The application, by the corporation of the city of Ottawa, out of the excess earnings of the sinking funds of the corporation, in 1917, of \$95,500; in 1918, of \$99,500; in 1919, of \$85,000; in 1920, of \$112,000; in 1921, of \$102,000, and in 1922, of \$146,000, for interest and sinking fund purposes, as provided by section 10 of chapter 79 of the Acts of the Legislature passed in the seventh year of the reign of His Majesty King George V, is hereby confirmed and declared to be legal, valid and binding on the said corporation, notwithstanding the omission of the said corporation to make such appropriations by by-law as required by the said Act.

Appropriation of premium received from sale of debentures.

**3.** The said corporation may appropriate and may expend for the general purposes of the corporation the whole or any part of the sum of \$157,299.22, received during 1921 and 1922, by way of premium on the sale of certain debentures of the corporation.

Commencement of Act.

**4.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.





No. 51.

4th Session, 15th Legislature,  
13 George V, 1923

BILL.

An Act respecting the City of Ottawa.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. HILL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Fire Marshals Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Fire Marshals Act, 1923*. Short title.

2. Section 3 of *The Fire Marshals Act* is amended by 1914, c. 41, s. 3, amended. adding thereto the following subsection:—

(2a) The Lieutenant-Governor in Council may appoint Appointment of investigators. investigators who shall, under the direction of the Fire Marshal, investigate the cause, origin and circumstances of fires occurring in Ontario and while so acting every such investigator shall be subject to the regulations and possess the same powers as the Fire Marshal.

3. Subsection 1a of section 10 of *The Fire Marshals Act* 1916, c. 55, s. 10, subs. 1a repealed. as enacted by section 3 of *The Fire Marshals Act* being Chapter 55 of the Statutes of Ontario, 1916, is repealed and the following substituted therefor:—

(1a) Every person sustaining or claiming to have sustained a loss by fire on property in Ontario insured in a company not licensed or registered under *The Ontario Insurance Act* shall pay to the Treasurer of Ontario an amount equal to one per cent. upon the gross amount of loss claimed upon such unlicensed or unregistered company and such amount shall be due and payable not later than sixty days from the date of filing the claim upon such company or its representative whether the claim has or has not been paid at the expiration of such sixty days. Contribution by persons insured in unregistered companies.

(a) Where the claim is sent by mail the date of the mailing shall be taken for the purposes of this subsection to be that upon which the claim was filed.

1914, c. 41,  
s. 14,  
amended.

Penalties  
not relief  
from ful-  
filment of  
obligations.

4. Section 14 of *The Fire Marshals Act* as amended by *The Fire Marshals Amendment Act, 1919*, is further amended by adding at the end of the said section the words "but the imposition of any such penalty or the payment thereof shall not relieve any person convicted from fulfilling any obligation for the neglect for which the penalty was imposed."

Commence-  
ment of Act.

5. This Act shall come into force and take effect on the first day of July, 1923.



No. 52.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Fire Marshals Act.

1st Reading,	23rd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SMITH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Bureau of Archives.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Archives Act, 1923*. Short title.

2. The Bureau of Archives at the seat of Government at Toronto, instituted in the year 1903 shall be continued and shall be known as the Department of Public Records and Archives of Ontario hereinafter called the "Department." Department

3.—(1) There shall continue to be an officer in charge of the Department to be known as the Archivist of Ontario, hereinafter referred to as "The Archivist," who shall be appointed by the Lieutenant-Governor in Council and who shall hold office during pleasure and the said officer shall be charged with the administration of this Act under the direction of the member of the Executive Council to whom the charge of the Department may be from time to time assigned. Provincial Archivist, appointment of.

(2) The Archivist shall have the rank of a deputy head of a department within the meaning of *The Public Service Act* and shall in relation to the Department possess all the powers and perform the duties of a deputy head of a department. Archivist to have rank of Deputy head of department.

4. Subject to the regulations, all original documents, parchments, manuscripts, papers, records and other matters in the executive and administrative departments of the Government or of the Assembly, or of any commission, office or branch of the Public Service shall be delivered to the Department for safe keeping and custody within twenty years from the date on which such matters cease to be in current use. Original documents, time within which to be delivered to Department.

5. The Archivist is authorized and directed to receive and grant discharges for all such matters as shall be trans- Responsibility of Department.

ferred to the Department under the provisions of section 4 and the Department shall thereafter be responsible for the safe keeping of the matters so transferred.

Objects of  
Depart-  
ment.

**6.** The objects of the Department shall be:—

- (a) The classification, safe keeping, indexing and cataloguing of all matters transferred to the Department under the provisions of section 4.
- (b) The discovery, collection and preservation of material having any bearing upon the history of Ontario wherever obtainable.
- (c) The copying and printing of important public documents relating to the legislative or general history of Ontario.
- (d) The collecting of all documents having in any sense a bearing upon the political or social history of Ontario and upon its agricultural, industrial, commercial and financial development.
- (e) The collecting of municipal, school and church records.
- (f) The collection and preservation of pamphlets, maps, charts, manuscripts, papers, regimental muster rolls and other matters of general or local interest historically in Ontario.
- (g) The collection and preservation of information respecting the early settlers of Ontario including pioneer experience, customs, mode of living, prices, wages, boundaries, areas cultivated, home and social life.
- (h) The collection and preservation of the correspondence of settlers, documents in private hands relating to public and social affairs and reports of local events of historic interest in domestic and public life.
- (i) The conducting of researches with a view to preserving the memory of pioneer settlers in Ontario and of their early exploits and the part taken by them in opening up and developing the Province.



**7.** Subject to the regulations, no official document, paper, pamphlet or report in the possession of any department or branch of the Public Service or of the Legislative Assembly shall be destroyed or permanently removed without the knowledge and concurrence of the Provincial Archivist.

**8.** A copy of any original document in the custody of the Provincial Archivist, certified under his hand and seal to be a true copy, shall be *prima facie* evidence of the authenticity and correctness of such document.

**9.** The Lieutenant-Governor in Council may make regulations:—

- (a) Respecting the administration of the Department of Archives and the duties of the Provincial Archivist and the officers, clerks and servants employed in the Department.
- (b) Prescribing the matters which shall be transferred to the Department under the provisions of section 4 and extending or reducing the period which shall elapse before any such matters are transferred to the Department.
- (c) For the classification of archives and other matters in the Department and the preparation of proper calendars, catalogues and indexes for the purpose of making such archives and other matters accessible for purposes of official, scientific and historical research.
- (d) Directing the manner in which documents, papers, pamphlets or reports in the office of any member of the Executive Council or in any department or branch of the Public Service or the Legislative Assembly shall be disposed of from time to time and the class of documents, papers, pamphlets or reports which shall be deemed to be public archives.

**10.** Nothing in this Act contained shall be taken or deemed to authorize the destruction or other disposition of any official document, paper, map, plan, report, memorandum or other matter in contravention of any order of the Legislative Assembly or of any express provision in any general or special Act of the Legislature.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Bureau  
of Archives.

1st Reading,	23rd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SMITH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Registry Offices in the  
County of York.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Toronto and York Registry Act*, 1923.

**2.** The registry divisions of East Toronto, West Toronto and the East and West Ridings of York shall cease to constitute separate registry divisions and shall constitute one registry division to be known as the registry division of Toronto and York.

Registry divisions of Toronto and York united.

**3.** There shall be one registry office for the said registry division of Toronto and York and there shall be one registrar for the said registry division who shall be appointed by the Lieutenant-Governor in Council.

One registry office for Toronto and East and West York.

**4.** The registrar of the registry division of Toronto and York shall also be registrar for the registry division of the North Riding of York.

Registrar to be registrar of North York.

**5.** The registrar of Toronto and York shall appoint such number of deputies as may be prescribed by the regulations made under the authority of this Act, but every such appointment shall be subject to the approval of the Lieutenant-Governor in Council.

Deputies.

**6.** The Corporation of the City of Toronto shall provide such accommodation as may be required in accordance with the provisions of *The Registry Act* or any regulations made thereunder, for the registry office of the registry division of Toronto and York.

City to provide accommodation, etc.

Salaries.

7. The registrar, deputy registrars, clerks, officers and employees employed in the registry office for the registry division of Toronto and York shall be paid out of the receipts of the office, such salaries as may be approved by the Lieutenant-Governor in Council, and subject to the regulations the fees prescribed by *The Registry Act* shall be collected and accounted for by such persons and in such manner as the Inspector of Registry Offices may direct.

Adjustment  
of matters  
between city  
and county.

8.—(1) The proportions in which the Corporations of the City of Toronto and the County of York shall share in the receipts from the said office, and the proportion in which the Corporations of the City of Toronto and the County of York respectively shall be liable for the expenses of erecting, maintaining and furnishing the said registry office, and the payment of the salaries of the registrar, deputy registrars, clerks, officers and employees engaged therein and all other matters necessary to determine the rights and liabilities of the said City and County respectively or requiring adjustment as a result of the changes in the registry divisions effected by this Act, shall be adjusted and determined under *The Arbitration Act* by the award of three arbitrators, one of whom shall be nominated by the Corporation of the City of Toronto and another by the Corporation of the County of York, each of which nominations shall be made within thirty days of the coming into force of this Act, and the third of whom shall be appointed by the Lieutenant-Governor in Council.

Appoint-  
ment of  
arbitrators  
in default.

(2) If either of the said Corporations fails to appoint a member of the Board as required by subsection 1 within the time provided, the Lieutenant-Governor in Council may make such appointment.

Superan-  
nuation.

9. Any registrar, deputy registrar or other officer or employee who is retired as a result of the establishment of the registry division of Toronto and York may be paid a retiring allowance to be fixed by the Lieutenant-Governor in Council not exceeding a sum equal to three-fifths of his average annual net income from his office for the five years next preceding his retirement, and any such retiring allowance shall be a charge upon and shall be payable out of the fees received from the said office in monthly payments during the lifetime of the person so retiring as part of the expenses of the registry office.

Application  
of Rev. Stat.  
c. 124.

10. The provisions of *The Registry Act* and amendments thereto, when the same do not conflict with the provisions of this Act, shall apply to the said registry division of Toronto and York.

**11.** The Lieutenant-Governor in Council may make regu-<sup>Regulations.</sup>lations:—

- (a) respecting the transfer of registers, plans, instruments and other books, documents and records to the registry office for the registry division of Toronto and York;
- (b) prescribing the furnishing, equipment and accommodation to be provided in the said registry office;
- (c) for the organization of the office and the appointment of deputies, officers, clerks and employees and prescribing their respective duties;
- (d) prescribing the method in which fees and other receipts of the office shall be collected, kept and accounted for;
- (e) respecting any matter arising out of the changes in the registry division effected by this Act not expressly provided for herein;
- (f) generally for the better carrying out of the provisions of this Act.

**12.** This Act shall come into force and take effect on a <sup>Commence-</sup>day to be named by the Lieutenant-Governor in Council<sup>ment of Act.</sup> by his proclamation.

No. 54.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Registry Offices in  
the County of York.

1st Reading,	22nd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Registry Office in the  
*City of Toronto.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Toronto Registry Office Act, 1923.* Short title.
2. The registry divisions of East Toronto and West Toronto shall cease to constitute separate registry divisions and shall constitute one registry division to be known as the registry division of Toronto. Registry divisions of Toronto united.
3. There shall be one registry office for the said registry division of Toronto and there shall be one registrar for the said registry division who shall be appointed by the Lieutenant-Governor in Council. One registry office for Toronto.
4. The registrar of Toronto shall appoint such number of deputies as may be prescribed by the regulations made under the authority of this Act, but every such appointment shall be subject to the approval of the Lieutenant-Governor in Council. Deputies.
5. The Corporation of the City of Toronto shall provide such accommodation as may be required in accordance with the provisions of *The Registry Act* or any regulations made thereunder, for the registry office of the registry division of Toronto. City to provide accommodation, etc.
6. The registrar, deputy registrars, clerks, officers and employees employed in the registry office for the registry division of Toronto shall be paid out of the receipts of the office, such salaries as may be approved by the Lieutenant-Governor in Council, and subject to the regulations Salaries.

the fees prescribed by *The Registry Act* shall be collected and accounted for by such persons and in such manner as the Inspector of Registry Offices may direct.

Superan-  
nuation.

7. Any registrar, deputy registrar or other officer or employee who is retired as a result of the establishment of the registry division of Toronto may be paid a retiring allowance to be fixed by the Lieutenant-Governor in Council not exceeding a sum equal to three-fifths of his average annual net income from his office for the five years next preceding his retirement, and any such retiring allowance shall be a charge upon and shall be payable out of the fees received from the said office in monthly payments during the lifetime of the person so retiring as part of the expenses of the registry office.

Application  
of Rev. Stat.  
c. 124.

8. The provisions of *The Registry Act* and amendments thereto, when the same do not conflict with the provisions of this Act, shall apply to the said registry division of Toronto.

Regulations.

9. The Lieutenant-Governor in Council may make regulations:—

- (a) respecting the registers, plans, instruments and other books, documents and records *to be kept in* the registry office for the registry division of Toronto;
- (b) prescribing the furnishing, equipment and accommodation to be provided in the said registry office;
- (c) for the organization of the office and the appointment of deputies, officers, clerks and employees and prescribing their respective duties;
- (d) prescribing the method in which fees and other receipts of the office shall be collected, kept and accounted for;
- (e) respecting any matter arising out of the changes in the registry division effected by this Act not expressly provided for herein;
- (f) generally for the better carrying out of the provisions of this Act.

Commence-  
ment of Act.

10. This Act shall come into force and take effect on a day to be named by the Lieutenant-Governor in Council by his proclamation.





No. 54.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Registry Office in  
the *City of Toronto*.

1st Reading,	22nd February, 1923.
2nd Reading,	9th April, 1923.
3rd Reading,	1923.

(*Reprinted as amended by the  
Legal Committee*)

MR. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Reforestation Act, 1921.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Reforestation Act, 1923*. Short title.
2. Section 3 of *The Reforestation Act, 1921*, is repealed and 1921, c. 19, s. 3 repealed. the following substituted therefor:—
  - (3) The Minister may for and in the name of His Majesty lease, purchase or acquire, and, subject as herein-after mentioned, may without the consent of the owner thereof enter upon, take and expropriate any land in Ontario which the Minister may deem necessary for reforestation purposes and may lease, sell or otherwise dispose of the interest of the Province in any land thus leased, purchased, acquired or expropriated, or the timber thereon, and for the purposes of this section the Minister shall have and may exercise the like powers and shall proceed in manner provided by *The Ontario Public Works Act* where the Minister of Public Works takes land or property for the use of Ontario and the provisions of that Act shall *mutatis mutandis* apply. Power to acquire by purchase, etc., or expropriate land for reforestation.
3. This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

No. 55.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Reforestation Act,  
1921.

1st Reading,	21st February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. BOWMAN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Deserted Wives' and Children's Maintenance Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Deserted Wives' and Children's Maintenance Act, 1923*. Short title.

**2.** Subsection 1 of section 3 of *The Deserted Wives' and Children's Maintenance Act* is amended by inserting after the words "police magistrate" in the second line, the words "or a Judge of a Juvenile Court," so that the subsection will now read as follows:— 1922, c. 57, s. 3, subs. 1 amended.

(1) A father who has deserted his child may be summoned before a police magistrate or a Judge of a Juvenile Court who, upon proof of the service of the summons, and whether or not the father appears, if satisfied that such father has wilfully refused or neglected to maintain the child and has deserted the child, may order that the father shall pay to such person as may by order be directed, for the support of such child such weekly sum, not exceeding \$20, with or without costs, as the magistrate may consider proper, having regard to the means of the father and to any means the child may have for his support. When order for maintenance of child may be made.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Deserted Wives' and  
Children's Maintenance Act.

1st Reading,	19th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to regulate the Boring and Protection of Wells.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Well Drillers Act, 1923*. Short title.

2. In this Act,—

Interpreta-  
tion

- (a) "Commissioner" shall mean Natural Gas Commissioner, appointed under *The Natural Gas Conservation Act, 1921*, or this Act; "Commis-  
sioner."
- (b) "Inspector" shall mean inspector appointed under *The Natural Gas Conservation Act, 1921*, or this Act; "Inspector."
- (c) "Minister" shall mean Minister of Mines; "Minister."
- (d) "Owner" shall include lessee; "Owner."
- (e) "Regulations" shall mean regulations made under the authority of this Act; "Regula-  
tions."
- (f) "Well" shall mean and include any well bored for oil, natural gas, water, salt or any other mineral or for any exploratory purpose. "Well."

3.—(1) The Minister may make regulations,—

Regula-  
tions.

- (a) Requiring dry and abandoned wells to be plugged and protected;
- (b) Prescribing the method and requirements to be observed in plugging and protecting any well;
- (c) Respecting the method of boring wells and for the proper protection of wells during boring operations;

- (d) For the issue of licenses to persons boring wells and fixing the fee to be paid for any such license, also for suspension or cancellation of the same;
- (e) Requiring every person boring a well to furnish such reports and returns, geological and other information and specimens as may be prescribed by the regulations.

Regulations may be general or particular.

(2) Any regulation made by the Minister under the authority of subsection 1 may be general or particular in its application territorially or otherwise.

Directions of Minister as to boring, etc.

4. The Minister may at all times give such directions in writing as he may deem necessary respecting the boring, protecting, plugging and closing of any well.

License required to bore.

5. A person shall not bore or undertake to bore a well after the date of the commencement of this Act unless he is the holder of a license from the Minister so to do.

Appointment of commissioner and inspectors.

6. The Lieutenant-Governor in Council may appoint a commissioner, and an inspector or inspectors, for the purpose of carrying out the provisions of this Act and any direction of the Minister made hereunder, and until any such appointment is made the Natural Gas Commissioner appointed under *The Natural Gas Conservation Act, 1921*, and the inspector appointed under the said Act shall be commissioner and inspector respectively for carrying out the provisions of this Act.

Notice.

7. An abandoned well shall not be plugged until the owner or other person in possession or control thereof shall have given the commissioner at least two weeks' notice by registered mail of the date on which the plugging is to be done, so as to enable the commissioner or inspector to be present and approve the method of plugging; and in the case of a gas well he shall, at least two weeks immediately before such date, close in the same in such a manner that no gas may escape.

Duties of owner where natural gas not utilized within two weeks after discovery.

8. Any person in possession or control as owner, agent, manager or otherwise of any well in which natural gas has been found, shall, unless such gas is utilized within two weeks of such discovery, confine the same in such well until such time as the gas is utilized; but this section shall not apply to any well which, in the opinion of the Minister, is not producing gas in marketable quantities and is being operated as an oil well.



**9.**—(1) Whenever any well is abandoned, it shall be the duty of the owner or the person in possession or control of such well, and of every person engaged or employed in removing the casing from or in plugging such well or in any work constituting an abandonment of such well, to plug or plug and cement the same in such manner as to keep all water in its place of origin and to prevent any fresh or salt water or other injurious substances from entering any oil or gas bearing rock, either from above or below such rock as may be further provided by regulations.

(2) Subject to the provisions of section 8, every well which, in the opinion of the inspector is not in operation shall be deemed to be an abandoned well within the meaning of this Act.

(3) The owner or person in possession or control of any well may, within ten days after receiving notice from the inspector that in his opinion the well is abandoned, appeal to the Minister against the decision of the inspector.

(4) The owner or person appealing shall give to the inspector notice in writing of the appeal.

(5) The decision of the Minister shall be final and shall not be subject to appeal.

**10.** Whenever the owner or person in possession of or having the control of any well in which gas has been found fails to comply with the provisions of section 9 hereof within the time therein mentioned, the inspector appointed, as hereinafter provided, shall notify such person in writing to cause such gas to be so confined; and in the case of the failure of such person to comply with such notice within ten days of the date thereof, the inspector may enter upon the land upon which such well is situate and, either by himself, his agents or his employees, shall cause such gas to be shut in and confined in such well.

**11.**—(1) Whenever any person notifies the inspector in writing that any property in which he is interested, situate in the vicinity of any such abandoned well, is injuriously affected by the failure to plug any such well as provided in section 9, the inspector shall examine such abandoned well and ascertain whether it has been properly plugged according to the provisions of this Act and the regulations, and in case the inspector determines that such well has not been properly plugged he shall serve a notice on the owner thereof or upon any person having the control thereof, or upon any person who was engaged or employed in the work of removing the

casing from or in plugging such well, or in any work which constituted an abandonment of such well, requiring that such well be plugged within ten days from the receipt of the notice and specifying the method to be followed in the plugging thereof; and unless within the ten days such well is plugged according to the directions contained in the notice; the inspector, by himself, his agents or employees may plug such well or cause the same to be plugged according to the provisions of this Act.

Inspection  
of well.

(2) Where the inspector is of the opinion that the casing in any well, whether the well is abandoned or not, is admitting water to such an extent as to injure adjoining property, he may order the owner or person in possession or control to remove the pump or other obstruction therein, if any, so as to enable him to test the well, and the inspector may order the owner or other person to stop the leak if there be one, within the time named by the inspector.

Inspection  
of main,  
pipe or  
duct.

(3) The inspector may inspect any main, pipe or duct through which natural gas may be flowing, drawn or pumped or which is intended to be used for any such purpose, and may give notice in writing to the person or owner of the main, pipe or duct to remedy any defect found therein which permits or is likely to permit of the escape of gas.

Where  
default is  
made.

(4) In case of default in compliance with such order within ten days after service of the same, the inspector may without further notice make such necessary alteration or repairs, or proceed to plug the well as provided in subsection 1.

Expenses,  
how  
recovered.

(5) The expenses occasioned by or incidental to such examination and plugging may be recovered in the manner provided by section 12.

Appeal from  
order of  
Minister.

(6) The owner or person in possession or control of a well, gas main, pipe or duct, may, before the expiry of the time fixed by the inspector appeal from the order of the inspector as provided in subsection 3 of section 9, and the decision of the Minister shall be final and shall not be subject to appeal.

Expenses of  
examina-  
tion and  
repair, how  
paid.

**12.** The expenses incidental to or occasioned by the examination and repair of natural gas lines or plugging of any abandoned well, or by the confining or shutting in of the gas from any well by the inspector under the provisions of this Act, shall be paid to the inspector within ten days after notice in writing of the completion of the work and the amount of such expense has been given to the owner or other person having control of any such well, and upon failure to pay the same within such time the inspector shall give written notice

of such failure to the clerk of the municipality in which such well is situate or such defect exists and of the amount payable, and the council of such municipality shall thereupon pay to the inspector such expenses and the same shall be added to the taxes upon any property of the owner of such well whether such well is situate on such property or not, unless the mineral rights in the land upon which such well is situate have been severed or reserved from such land, in which case such expenses shall be added to any taxes chargeable against the reserved mineral rights in the land upon which the well is situate or against any other property of the owner of such reserved mineral rights, and such expenses shall be entered on the collector's roll and be levied and collected in the same manner as other taxes, provided that where the municipality shall have paid or become liable for the expense of plugging an abandoned well, the corporation by its officers, servants or workmen may take possession of and remove and sell by public auction or private sale all casing, tubing, pumps and other equipment recovered from or connected with such well but any surplus proceeds of such sale over and above such expenses and costs of sale shall be repaid to the owner.

**13.**—(1) The inspector may by notice in writing delivered to any person who has charge or control of the removal of the casing or plugging or abandonment of any well, or who was engaged or employed in removing the casing from or in plugging any such well or in any work constituting an abandonment of such well, require such person within ten days from the receipt of such notice to furnish a statutory declaration respecting such abandoned well to the inspector.

Inspector may require statutory declaration to be furnished.

(2) Such person shall within the ten days furnish such declaration to the inspector either by delivering the same into his hands or by mailing by registered post to his address; and the declaration shall identify such well and shall set out in detail the precise manner of and the materials and tools used in plugging the same.

Declaration, what to contain.

**14.** Where the inspector finds that a line of pipe conveying gas from one locality to another is constructed or laid down in such a manner, or is so out of repair or otherwise defective, as to permit or be likely to permit of the escape of gas in considerable quantities, he may give to the owner or person in control of the line of pipe notice in writing to make the alteration or repairs prescribed in the notice within a stated time, and upon default in compliance with the terms of the notice, the Lieutenant-Governor in Council upon the recommendation of the Minister may suspend or revoke and annul any charter of incorporation or other authority under which the business of conveying gas in the line of pipe is carried on.

Notice to owner where pipe defective.

Right of  
inspector  
to engage  
agents and  
employees.

**15.**—(1) The inspector shall have authority to engage such agents or employees as he may deem necessary from time to time to carry out the requirements of this Act, and shall also be empowered from time to time and at all times by himself, his servants or employees to enter upon any land or property upon which any wells are being or have been drilled and to make such examinations, inspections, repairs and inquiries as may be necessary for carrying into effect the provisions of this Act.

No action  
to lie  
against  
commis-  
sioner or  
inspector.

(2) No action or other proceedings shall lie against any such commissioner or inspector, his agents or employees for any matter or thing done by them under the provisions of this Act.

Liability of  
persons for  
contraven-  
tion of  
provisions of  
certain  
sections.

**16.**—(1) Every person who contravenes any of the provisions of sections 8, 9 and 15 of this Act or of any of the regulations made under this Act, or who neglects or refuses to carry out any order or direction lawfully given or made under the authority of this Act or the regulations, shall in addition to any costs and expenses to which he may be liable under the provisions of section 12 incur a penalty of not less than \$10 nor more than \$100.

Liability of  
defendant.

(2) The prosecution of any person under subsection 1 shall not affect the liability of the defendant in any action for damages or otherwise for injuries arising out of any such offence.

Penalties,—  
how recov-  
erable.  
Rev. Stat.  
c. 90.

(3) The penalties provided for by this section shall be recoverable under *The Ontario Summary Convictions Act*.

Rev. Stat.  
c. 250;  
1916, c. 57,  
repealed.

**17.** *The Natural Gas and Oil Wells Act* and the Act amending the same, passed in 1916, chap. 57, are repealed.

Commence-  
ment of  
Act.

**18.** This Act shall come into force on the 1st day of July, 1923.



No. 57.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to regulate the Boring and  
Protection of Wells.

1st Reading,	12th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MILLS.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Extramural Employment  
of Sentenced Persons Act, 1921.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Extramural Employment* Short title.  
*Act, 1923.*

**2.** Section 2 of *The Extramural Employment of Sentenced* 1921, c. 93,  
*Persons Act, 1921*, is amended by striking out all the words s. 2,  
after the word "Statute" in the seventh line and inserting in amended.  
lieu thereof the words "of Ontario" so that the section will  
now read as follows:—

**2.** The Lieutenant-Governor in Council may from time Authoriza-  
to time authorize, direct or sanction the employment tion for  
on any work or duty without or beyond the limits extramural  
of any gaol, industrial farm, reformatory or other employment.  
place of safe custody under the jurisdiction or  
control of the Province of Ontario, of any persons  
confined or sentenced to be imprisoned therein, or  
transferred thereto under any Statute of Ontario.

**3.** This Act shall come into force on the day upon which it Commence-  
receives the Royal Assent. ment of  
Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act to amend The Extramural Employment of Sentenced Persons Act, 1921.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. NIXON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act respecting the Registration of Guests in Standard Hotels.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Standard Hotel Registration Act, 1923.* Short title

**2.** Every licensee, owner, manager or other person in charge of a hotel licensed as a standard hotel under the provisions of *The Ontario Temperance Act* shall keep in such hotel a register in which shall be entered the name and usual place of residence of every person admitted as a guest in such hotel, and occupying a room therein alone or with any other person. Register to be kept in standard hotels.

**3.—(1)** A licensee, owner or manager of a standard hotel who neglects to keep such register or to see that the particulars required by section 2 are entered therein, or who knowingly and wilfully permits any untrue statement as to the name or place of residence of the guest to be entered in the register shall be guilty of an offence and shall incur a penalty of not less than \$10 nor more than \$50, and in default of payment may be imprisoned for a period not exceeding three months. Penalty for not keeping register properly.

**(2)** In addition to any other penalty, where the person committing such an offence is the licensee, or any person acting for him or with his knowledge, the license to keep the hotel, shall upon conviction of the offender, be deemed to be forfeited. Forfeiture of license.

**4.** A person who applies for admission as a guest in any standard hotel and who registers under or represents himself as bearing some other name than his own, or who in registering or procuring admission to a standard hotel, makes any false statement as to his ordinary place of residence, shall incur a penalty of not less than \$20 nor more than \$200, and in default of payment may be imprisoned for a period not exceeding three months. Penalty for guest registering falsely.

Penalty for  
false  
registration  
as husband  
and wife.

**5.** Every male person who procures or attempts to procure or authorizes or permits any other person to procure lodging in a standard hotel for himself and any woman whom he falsely holds out to be his wife, or of whom he falsely holds himself out or permits himself to be represented as the husband, and every such woman, shall be guilty of an offence, and shall incur a penalty of not less than \$100 nor more than \$500, and in default of payment may be imprisoned for a period not exceeding three months.

Application  
of Rev. Stat.  
c. 90.

**6.** *The Ontario Summary Convictions Act* shall apply to prosecutions under this Act.

Commence-  
ment of  
Act.

**7.** This Act shall come into force on the 1st day of July 1923.



No. 59.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act respecting the Registration of  
Guests in Standard Hotels.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Public Health Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Health Amendment Act, 1923*. Short title.

**2.** Section 90 of *The Public Health Act* is amended by inserting after the words “water supply” in the third line, the words “or for agricultural, domestic or industrial purposes” so that the section will read as follows:—

90. The Provincial Board shall have the general supervision of all springs, wells, ponds, lakes, streams or rivers used as a source for a public water supply or for agricultural, domestic or industrial purposes with reference to their purity, together with the waters feeding the same, and shall examine the same from time to time when the necessity for such examination arises, and inquire what, if any, pollution exists and the causes thereof. Provincial Board to have supervision of streams, etc.

**3.** Section 90 of *The Public Health Act* is further amended by adding thereto the following subsections: Rev. Stat. c. 218, s. 90, amended.

(2) The Provincial Board may inquire into and hear and determine any complaint made by or on behalf of a riparian proprietor entitled to the use of water, that any industrial waste or any other polluting material of any kind whatsoever which either by itself or in connection with other matter may corrupt or impair the quality of the water or may render such water unfit for accustomed or ordinary use has been placed in, or discharged into such water, or placed or deposited upon the ice thereof, or placed or suffered to remain upon the bank or shore thereof. Inquiry by Provincial Board as to complaints of pollution of waters.

Report of  
Provincial  
Board.

- (3) The Provincial Board may make a report upon such complaint and as to what remedial measures, if any, are required in respect to any alleged injury or invasion of right as it may deem just.

Application  
to Court on  
report of  
Board.

- (4) Where the report of the Provincial Board recommends the removal or degree of treatment of any such polluting material any riparian proprietor interested may apply to a Judge of the Supreme Court by way of originating notice according to the practice of the Court, for an order for the removal or abatement of the injury in terms of the report of the Board and to restrain the proprietors of the industry from carrying on the same, or the offending party or parties from continuing the acts complained of until the injury or invasion of right has been abated to the satisfaction of the Provincial Board.

Court may  
act on report  
of Board  
or further  
evidence.

- (5) The Judge may make such order upon the report of the Provincial Board or upon such further evidence as he may deem meet and on such terms and conditions as may be deemed proper and he may review, alter or set aside the finding of the Board.



No. 60.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Public Health  
Act.

1st Reading, 25th January,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR ROLLO.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Public Health Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Health Amendment Act, 1923*. Short title.

**2.** Section 90 of *The Public Health Act* is amended by inserting after the words "water supply" in the third line, the words "or for agricultural, domestic or industrial purposes" so that the section will read as follows:— Rev. Stat. c. 218, s. 90, amended.

90. The Provincial Board shall have the general supervision of all springs, wells, ponds, lakes, streams or rivers used as a source for a public water supply or for agricultural, domestic or industrial purposes with reference to their purity, together with the waters feeding the same, and shall examine the same from time to time when the necessity for such examination arises, and inquire what, if any, pollution exists and the causes thereof. Provincial Board to have supervision of streams, etc.

**3.** Section 90 of *The Public Health Act* is further amended by adding thereto the following subsections: Rev. Stat. c. 218, s. 90, amended.

(2) The Provincial Board may inquire into and hear and determine any complaint made by or on behalf of a riparian proprietor entitled to the use of water, that any industrial waste or any other polluting material of any kind whatsoever which either by itself or in connection with other matter may corrupt or impair the quality of the water or may render such water unfit for accustomed or ordinary use has been placed in, or discharged into such water, or placed or deposited upon the ice thereof, or placed or suffered to remain upon the bank or shore thereof. Inquiry by Provincial Board as to complaints of pollution of waters.

Report of  
Provincial  
Board.

- (3) The Provincial Board may make a report upon such complaint and as to what remedial measures, if any, are required in respect to any alleged injury or invasion of right as it may deem just.

Application  
to Court on  
report of  
Board.

- (4) Where the report of the Provincial Board recommends the removal or degree of treatment of any such polluting material any riparian proprietor interested may apply to a Judge of the Supreme Court *or a County Judge* by way of originating notice according to the practice of the Court, for an order for the removal or abatement of the injury in terms of the report of the Board and to restrain the proprietors of the industry from carrying on the same, or the offending party or parties from continuing the acts complained of until the injury or invasion of right has been abated to the satisfaction of the Provincial Board.

Court may  
act on report  
of Board  
or further  
evidence.

- (5) The Judge may make such order upon the report of the Provincial Board or upon such further evidence as he may deem meet and on such terms and conditions as may be deemed proper.



No. 60.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Public Health  
Act.

1st Reading, 25th January,	1923.
2nd Reading, 2nd February,	1923.
3rd Reading,	1923.

*(Reprinted as amended by Committee of the  
Whole House.)*

MR ROLLO.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. Section 269 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72,  
s. 269,</sup>  
is repealed and the following substituted therefor:— <sup>repealed.</sup>

269. An elector shall be entitled to vote once <sup>Where</sup>  
only on any by-law or question submitted <sup>ratepayers</sup>  
and where he is qualified to vote in more <sup>qualified in</sup>  
than one ward or polling subdivision he <sup>more than</sup>  
shall vote only in that in which he resides <sup>one ward.</sup>  
if qualified to vote there, or if not qualified  
to vote there or if he is not a resident of the  
municipality, he may elect at which of  
such wards or polling subdivisions he will  
vote and shall vote there only.

No. 61.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	25th January, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

Mr. HOMUTH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Agricultural Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Agricultural Development Amendment Act, 1923*. short title.

**2.** Subsection 1 of section 10 of *The Agricultural Development Act, 1921*, as amended by section 2 of *The Agricultural Development Amendment Act, 1922*, is further amended by 1921, c. 32, s. 10, subs. 1; 1922, c. 36, s. 2, amended. adding thereto the following clause:

(f) Any other productive purpose.

**3.** Clause *a* of section 12 of *The Agricultural Development Act, 1921*, is amended by striking out the words "and has 1921, c. 32, s. 12, cl. a, amended. been resident in Ontario for at least three years" in the second and third lines.

**4.** Subsection 1 of section 16 of *The Agricultural Development Act, 1921*, is amended by striking out the words "nor 1921, c. 32, s. 16, subs. 1, amended. less than three years" in the fifth line thereof.

**5.** Section 16 of *The Agricultural Development Act, 1921*, is amended by adding thereto the following subsections: 1921: c. 32, s. 16, amended.

(3) Notwithstanding anything contained in this Act, the Board may with the approval of the Lieutenant-Governor in Council make regulations respecting the dates on which instalments of principal and interest are payable, and may accept payment of interest without principal for any fraction of the year in which the loan is issued. Regulations as to instalments of principal and interest.

(4) The preceding subsection shall have effect as from the 1st day of November, 1921.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 62

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Agricultural  
Development Act.

1st Reading, 25th January,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DOHERTY.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Agricultural Development Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Agricultural Development Amendment Act, 1923*. Short title.

**2.**—(1) Subsection 1 of section 10 of *The Agricultural Development Act, 1921*, as amended by section 2 of *The Agricultural Development Amendment Act, 1922*, is further amended 1921, c. 32, s. 10, subs. 1; 1922, c. 36, s. 2, amended. by adding thereto the following clauses:

(f) To purchase breeding live stock;

(g) To consolidate outstanding liabilities incurred for productive purposes.

(2) Clause *d* of subsection 1 of the said section 10, as enacted by section 2 of *The Agricultural Development Act, 1922*, is amended by striking out the words "forty per cent." in the second line and inserting in lieu thereof the words "fifty per cent."

**3.** Clause *a* of section 12 of *The Agricultural Development Act, 1921*, is amended by striking out the word "Ontario" in the second line and inserting in lieu thereof the word "Canada". 1921, c. 32, s. 12, cl. a, amended.

**4.** Section 13 of *The Agricultural Development Act, 1921*, is repealed and the following substituted therefor: 1921, c. 32, s. 13, repealed.

13.—(1) A loan to any one person shall not exceed \$12,000, and every loan shall be secured by a first mortgage upon lands suitable for agricultural purposes. Terms of loan.

- (2) On a property of less than fifty acres the maximum valuation to be recognized by the Board, shall be <sup>Maximum valuation for less than fifty acres.</sup> \$300 per acre.

**5.** Subsection 1 of section 16 of *The Agricultural Development Act, 1921*, is amended by striking out the words "nor less than three years" in the fifth line thereof. <sup>1921, c. 32, s. 16, subs. 1, amended.</sup>

**6.** Section 16 of *The Agricultural Development Act, 1921*, is amended by adding thereto the following subsections: <sup>1921, c. 32, s. 16, amended.</sup>

- (3) Notwithstanding anything contained in this Act, the Board may with the approval of the Lieutenant-Governor in Council make regulations respecting the dates on which instalments of principal and interest are payable, and may accept payment of interest without principal for any fraction of the year in which the loan is issued. <sup>Regulations as to instalments of principal and interest.</sup>

- (4) The preceding subsection shall have effect as from the 1st day of November, 1921.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>



4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Agricultural  
Development Act.

1st Reading,	25th January, 1923.
2nd Reading,	22nd February, 1923.
3rd Reading,	1923.

*(Reprinted with amendments for consideration by Committee of the Whole House.)*

MR. DOHERTY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Free Text Books in Public, Separate and Industrial Schools.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Free Text Books Act*, Short title.  
1923.

**2.** In this Act,—

Interpreta-  
tion.

(a) "Board" shall mean board of education, public "Board."  
school board, separate school board or any board  
of trustees having the management and control of  
a public, separate or industrial school;

(b) "Minister" shall mean Minister of Education. "Minister."

**3.** From and after the first day of September, 1923, every Boards to  
furnish  
text books  
free.  
board shall furnish free of cost to each pupil in attendance  
at a public, separate or industrial school under the jurisdic-  
tion of the board, all text books required to be used by such  
pupil and prescribed by the regulations of the Department  
of Education.

**4.** All text books so furnished by a board shall be the Issue and  
re-issue of  
books.  
property of the board and the board may make regulations  
subject to the approval of the Minister of Education gov-  
erning the issue of such books to pupils and their use, but  
no book shall be re-issued to another pupil unless and until  
such book has been fumigated or otherwise disinfected as  
directed by the medical officer of health of the municipality  
or district.

**5.** Any pupil who has been promoted from one grade in Exchange  
of books  
on pro-  
motion of  
pupil.  
any school to another grade in the same or any other school  
to which this Act applies shall be by the board supplied with

the text books prescribed for the grade to which such pupil has been so promoted upon such pupil exchanging therefor the set of text books used by him or her in the grade from which such pupil has been promoted or such of the such last-mentioned text books as such pupil had while a pupil in such lower grade. The conditions and manner of such exchange shall be regulated by resolution or resolutions of the board, but the board shall not have power to make any charge upon such exchange unless the board is satisfied that such pupil or his parents or some other person or persons for him and with his concurrence or connivance is wrongfully withholding some or one of the text books, the exchange of which is provided for by this section. The board may require to be exchanged under this section the text books used by pupils during the school year ending in the month of June in the year 1923.



No. 63.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Free Text Books in  
Public, Separate and Industrial Schools.

1st Reading, 25th January,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

Mr. HORTH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act respecting Liens of Mechanics, Wage Earners and Others.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Mechanics' and Wage* Short title.  
*Earners' Lien Act, 1923*, R.S.O. 1914, c. 140, s. 1.

**2.** In this Act,—

Interpreta-  
tion.

- (a) "Contractor" shall mean a person contracting "Contractor."  
with or employed directly by the owner or  
his agent for the doing of work or service or  
placing or furnishing materials for any of  
the purposes mentioned in this Act;
- (b) "Material" or "Materials" shall include "Material."  
every kind of moveable property;
- (c) "Owner" shall extend to any person, body "Owner."  
corporate or politic, including a municipal  
corporation and a railway company having  
any estate or interest in the land upon which  
or in respect of which the work or service is  
done, or materials are placed or furnished at  
whose request and
- (i) upon whose credit, or
- (ii) on whose behalf, or
- (iii) with whose privity and consent, or
- (iv) for whose direct benefit

work or service is performed or materials  
are placed or furnished and all persons  
claiming under him or them whose rights  
are acquired after the work or service in

respect of which the lien is claimed is commenced or the materials furnished have been commenced to be furnished;

- "Registrar." (d) "Registrar" shall include Master of Titles and Local Master of Titles;
- "Registry Office." (e) "Registry Office" shall include Land Titles Office;
- "Sub-contractor." (f) "Sub-contractor" shall mean a person not contracting with or employed directly by the owner or his agent for the purposes aforesaid, but contracting with or employed by a contractor, or under him by another sub-contractor; R.S.O. 1914, c. 140, s. 2 (a-f).
- "Wages." (g) "Wages" shall mean money earned by a mechanic or labourer for work done, whether by time or as piece work. R.S.O. 1914, c. 140, s. 2 (g). Amended.

Exception of streets or highways. **3.** Nothing in this Act shall extend to any public street or highway, or to any work or improvement done or caused to be done by a municipal corporation thereon. R.S.O. 1914, c. 140, s. 3.

Contracts waiving application of Act to be void. **4.—(1)** Every agreement, verbal or written, express or implied, on the part of any workman, servant, labourer, mechanic or other person employed in any kind of manual labour intended to be dealt with in this Act, that this Act shall not apply, or that the remedies provided by it shall not be available for the benefit of such person, shall be null and void. R.S.O. 1914, c. 140, s. 4 (1).

Exception as to certain employees. (2) This section shall not apply to a manager, officer or foreman, or to any other person whose wages are more than \$10 a day. R.S.O. 1914, c. 140, s. 4 (2). Amended.

Effect upon third party of agreement waiving lien. **5.** No agreement shall deprive any person otherwise entitled to a lien under this Act who is not a party to the agreement, of the benefit of the lien, but it shall attach, notwithstanding such agreement. R.S.O. 1914, c. 140, s. 5.

General right of workman or material man to a lien. **6.—(1)** Unless he signs an express agreement to the contrary and in that case subject to the provisions of section 4, any person who performs any work or service upon or in respect of, or places or furnishes any materials to be used in the making, constructing, erecting, fitting, altering, improving or repairing of any erection, building, railway, land, wharf,

pier, bulkhead, bridge, trestlework, vault, mine, well, excavation, fence, sidewalk, pavement, fountain, fishpond, drain, sewer, aqueduct, roadbed, way, fruit or ornamental trees, or the appurtenances to any of them for any owner, contractor, or sub-contractor, shall by virtue thereof have a lien for the price of such work, service or materials upon the estate or interest of the owner in the erection, building, railway, land, wharf, pier, bulkhead, bridge, trestlework, vault, mine, well, excavation, fence, sidewalk, paving, fountain, fishpond, drain, sewer, aqueduct, roadbed, way, fruit or ornamental trees, and appurtenances and the land occupied thereby or enjoyed therewith, or upon or in respect of which such work or service is performed, or upon which such materials are placed or furnished to be used, limited, however, in amount to the sum justly due to the person entitled to the lien and to the sum justly owing, except as herein provided, by the owner; the placing or furnishing of such materials to be used, upon the said lands or such other place in the immediate vicinity of the said land designated by the owner or his agent shall be good and sufficient delivery for the purpose of this Act, but delivery on the said designated land shall not make such land subject to a lien. R.S.O. 1914, c. 140, s. 6; 1918, c. 29, s. 1. Amended.

(2) The lien given by subsection 1 shall attach to the lands as therein set out where the materials delivered to be used are incorporated into the buildings, erections or structures on such land, notwithstanding such materials may not have been delivered in strict accordance with the provisions of subsection 1. New.

Lien attaches where materials incorporated into building.

7. Where work is done or services are performed or materials are furnished to be used upon or in respect of the land of a married woman or in which she has any interest or an inchoate right of dower, with the privity and consent of her husband he shall be conclusively presumed to be acting as her agent as well as for himself for the purposes of this Act unless before doing such work or performing such services or furnishing such materials the person doing, performing or furnishing the same shall have had actual notice to the contrary. R.S.O. 1914, c. 140, s. 7. Amended.

When husband's interest liable for work done or materials furnished on land of married woman.

8.—(1) Where the estate or interest upon which the lien attaches is leasehold the fee simple shall also be subject to the lien, provided the person doing the work or supplying the material gives notice in writing, referring to the section, to the owner or his agent of the work to be done or material to be furnished, unless the owner or his agent within ten days thereafter gives notice to such person that he will not be responsible therefor.

Where estate charged is leasehold.

Forfeiture or  
cancellation of  
lease,—effect  
of on lien-  
holder.

(2) No forfeiture or attempted forfeiture of the lease on the part of the landlord or cancellation or attempted cancellation of the lease except for non-payment of rent shall deprive any person otherwise entitled to a lien under this Act of the benefit of the lien provided that the person entitled to the lien may pay any rent accruing after he becomes so entitled and the amount so paid may be added to his claim.

Prior  
mortgage.

(3) Where the land and premises upon or in respect of which any work or service is performed or materials are furnished to be used, is encumbered by a prior mortgage or other charge existing in fact before any lien arises such mortgage or other charge shall have priority over all liens under this Act to the extent of the actual value of such land and premises at the time the first lien arose, such value to be ascertained by the Judge or officer having jurisdiction to try the action by proper evidence to be adduced before him. New.

Agreement  
for purchase.

(4) Where there is an agreement for the purchase of land and the purchase money or a part thereof is unpaid and no conveyance has been made to the purchaser he shall for the purposes of this Act be deemed a mortgagor and the seller a mortgagee. R.S.O. 1914, c. 140, s. 14 (2).

Application  
of insurance  
when lien  
attaches.

9. Where any of the property upon which a lien attaches is wholly or partly destroyed by fire any money received by reason of any insurance thereon by an owner or prior mortgagee or chargee shall take the place of the property so destroyed and shall, after satisfying any prior mortgage or charge in the manner and to the extent set out in subsection 3 of section 8, be subject to the claims of all persons for liens to the same extent as if such money had been realized by a sale of such property in an action to enforce the lien. R.S.O. 1914, c. 140, s. 9. Amended.

Limit of  
amount of  
owner's  
liability.

10. Save as herein otherwise provided the lien shall not attach so as to make the owner liable for a greater sum than the sum payable by the owner to the contractor. R.S.O. 1914, c. 140, s. 10.

Limit of  
lien when  
claimed by  
some other  
than con-  
tractor.

11. Save as herein otherwise provided where the lien is claimed by any person other than the contractor the amount which may be claimed in respect thereof shall be limited to the amount owing to the contractor or subcontractor or other person for whom the work or service has been done or the materials placed or furnished. R.S.O. 1914, c. 140, s. 11.

**12.**—(1) In all cases the person primarily liable upon any contract under or by virtue of which a lien may arise shall, as the work is done or materials are furnished under the contract, retain for a period of thirty days after the completion or abandonment of the work done or to be done under the contract twenty per cent. of the value of the work, service and materials actually done, placed or furnished, as mentioned in section 6 irrespective of whether the contract or subcontract provides for partial payments or payment on completion of the work and such value shall be calculated on the basis of the contract price, or if there is no specific contract price, then on the basis of the actual value of the work, service or materials done, performed or supplied. Retention of percentage by owner for thirty days. R.S.O. 1914, c. 140, s. 12 (1). Amended.

(2) Where the contract price or actual value exceeds Where contract price exceeds \$15,000. \$15,000 the amount to be retained shall be fifteen per cent. instead of twenty per cent. R.S.O. 1914, c. 140, s. 12 (2).

(3) The lien shall be a charge upon the amount directed to be retained by this section in favour of lienholders whose liens are derived under persons to whom such moneys so required to be retained are respectively payable. Effect of lien on amounts retained. R.S.O. 1914, c. 140, s. 12 (3). Amended.

(4) All payments up to eighty per cent. as fixed by subsection 1 or up to eighty-five per cent. as fixed by subsection 2 made in good faith by an owner to a contractor, or by a contractor to a sub-contractor, or by one sub-contractor to another sub-contractor, before notice in writing of such lien given by the person claiming the lien to the owner, contractor, or sub-contractor as the case may be shall operate as a discharge *pro tanto* of the lien. Payments made in good faith without notice of lien. R.S.O. 1914, c. 140, s. 12 (4). Amended.

(5) Payment of the percentage required to be retained under this section may be validly made so as to discharge all liens or charges in respect thereof after the expiration of the period of thirty days mentioned in subsection 1 unless in the meantime proceedings have been commenced to enforce any lien or charge against such percentage as provided by sections 23 and 24, in which case the owner may pay the percentage into Court in such proceedings and such payment shall constitute valid payment in discharge of the owner to the amount thereof. Payment of percentage and discharge of liens. R.S.O. 1914, c. 140, s. 12 (5). Amended.

**13.**—(1) If an owner, contractor or sub-contractor makes a payment to any person entitled to a lien under section 6 for or on account of any debt, justly due to him for work or service done or for materials placed or furnished to be Payments made direct by owner to persons entitled to lien.

used as therein mentioned, for which he is not primarily liable, and within three days afterwards gives written notice of such payment to the person primarily liable, or his agent, such payment shall be deemed to be a payment on his contract generally to the contractor or sub-contractor primarily liable but not so as to affect the percentage to be retained by the owner as provided by section 12. R.S.O. 1914, c. 140, s. 13. Amended.

Rights of sub-contractor on non-completion or abandonment of contract.

(2) Every sub-contractor shall be entitled to enforce his lien notwithstanding the non-completion or abandonment of the contract by any contractor or sub-contractor under whom he claims. New.

Priority of lien.

**14.**—(1) The lien shall have priority over all judgments, executions, assignments, attachments, garnishments and receiving orders recovered, issued or made after such lien arises, and over all payments or advance made on account of any conveyance or mortgage after notice in writing of such lien to the person making such payments or after registration of a claim for such lien as hereinafter provided. R.S.O. 1914, c. 140, s. 14 (1).

Priority among lienholders.

(2) Except where it is otherwise provided by this Act no person entitled to a lien on any property or money shall be entitled to any priority or preference over another person of the same class entitled to a lien on such property or money, and each class of lienholders shall rank *pari passu* for their several amounts, and the proceeds of any sale shall be distributed among them *pro rata* according to their several classes and rights. R.S.O. 1914, c. 140, s. 14 (3).

#### WAGES.

Priority of lien for wages.

**15.**—(1) Every mechanic or labourer whose lien is for wages shall, to the extent of thirty days' wages, have priority over all other liens derived through the same contractor or sub-contractor to the extent of and on the twenty per cent. or fifteen per cent. as the case may be, directed to be retained by section 12 to which the contractor or sub-contractor through whom such lien is derived is entitled and all such mechanics and labourers shall rank thereon *pari passu*. R.S.O. 1914, c. 140, s. 15 (1).

Enforcing lien in such cases.

(2) Every wage earner shall be entitled to enforce a lien in respect of any contract or sub-contract not completely fulfilled and, notwithstanding anything to the contrary in this Act provided, may serve a notice of motion on the proper parties returnable in four days after service thereof before

the Judge or officer having jurisdiction under this Act, that said applicant will on the return of the motion ask for judgment on his claim for lien, registered particulars of which shall accompany such notice of motion duly verified by affidavit. R.S.O. 1914, c. 140, s. 15 (2). Amended.

(3) If the contract has not been completed when the lien is claimed by a wage earner, the percentage shall be calculated on the value of the work done or materials furnished by the contractor or subcontractor by whom such wage earner is employed having regard to the contract price, if any. R.S.O. 1914, c. 140, s. 15 (3). Calculating percentage when contract not fulfilled.

(4) Where the contractor or sub-contractor makes default in completing his contract the percentage shall not as against a wage earner claiming a lien, be applied by the owner or contractor to the completion of the contract or for any other purpose nor to the payment of damages for the non-completion of the contract by the contractor or sub-contractor nor in payment or satisfaction of any claim against the contractor or sub-contractor. R.S.O. 1914, c. 140, s. 15 (4). Percentage not to be otherwise applied.

(5) Every device by an owner, contractor or sub-contractor to defeat the priority given to a wage earner for his wages and every payment made for the purpose of defeating or impairing a lien shall be null and void. R.S.O. 1914, c. 140, s. 15 (5). Devices to defeat priority of wage earners.

#### MATERIAL.

**16.**—(1) During the continuance of a lien no part of the material affected thereby shall be removed to the prejudice of the lien. R.S.O. 1914, c. 140, s. 16 (1). Restraining attempt to remove material affected by lien.

(2) Material actually delivered to be used for any of the purposes enumerated in section 6, shall be subject to a lien in favour of the person furnishing it until placed in the building, erection or work, and shall not be subject to execution or other process to enforce any debt other than for the purchase thereof due to the person furnishing the same. R.S.O. 1914, c. 140, s. 16 (2); 1918, c. 29, s. 2. Amended. Exemption from execution of material furnished for certain purposes.

(3) The Judge or officer trying the action may direct the sale of any material or authorize its removal. R.S.O. 1914, c. 140, s. 37 (5). Amended. Sale of material.

## REGISTRATION OF LIEN.

(As to registration of liens against mining claims and mining lands, see R.S.O. 1914, c. 32, s. 182.)

Registration of claim for lien.

**17.**—(1) A claim for a lien, Forms 1, 2 and 3 may be registered in the proper Registry Office and shall set out:—

- (a) the name and residence of the person claiming the lien and of the owner or of the person whom the person claiming the lien, or his agent, believes to be the owner of the land, and of the person for whom the work or service was or is to be done, or materials furnished or placed, and the time within which the same was or was to be done or furnished or placed;
- (b) a short description of the work or service done or to be done, or materials furnished or placed or to be placed or to be furnished or placed;
- (c) the sum claimed as due or to become due;
- (d) a description of the land sufficient for the purpose of registration and where the land is registered under *The Land Titles Act*, also a reference to the number of the parcel of the land and to the register in which such land is registered in the Land Titles Office.
- (e) the date of expiry of the period of credit when credit has been given. R.S.O. 1914, c. 140, s. 17 (1). Amended.

Form of affidavit.

(2) The claim shall be verified by the affidavit, Form 4, of the person claiming the lien, or of his agent or assignee, having a personal knowledge of the matters required to be verified, and the affidavit of the agent or assignee shall state that he has such knowledge. R.S.O. 1914, c. 140, s. 17 (2).

Description of lands where lien registered against railway.

(3) When it is desired to register a claim for lien against a railway it shall be sufficient description of the land of the railway company to describe it as the land of the railway company and every such claim shall be registered in the general register in the office for the registry division within which such lien is claimed to have arisen. R.S.O. 1914, c. 140, s. 17 (3). Amended.



**18.**—(1) A claim for lien may include claims against <sup>What may be included in claim.</sup> any number of properties, and any number of persons claiming liens upon the same property may unite therein, but where more than one lien is included in one claim each lien shall be verified by affidavit as provided in section 17. R.S.O. 1914, c. 140, s. 18.

(2) The Judge or officer shall have jurisdiction equitably <sup>Apportionment of claims against different properties.</sup> to apportion against the respective properties the amounts included in any claim or claims for liens under subsection 1. New.

**19.**—(1) A substantial compliance with sections 17, 18 <sup>Informality in cases of registering liens.</sup> and 30 shall be sufficient and no lien shall be invalidated by reason of failure to comply with any of the requisites of these sections unless, in the opinion of the Judge or officer who tries an action under this Act, the owner, contractor or sub-contractor, mortgagee or other person, is prejudiced thereby, and then only to the extent to which he is thereby prejudiced. R.S.O. 1914, c. 140, s. 19 (1); 1916, c. 30, s. 4. Amended.

(2) Nothing in this section shall dispense with registration <sup>Exception.</sup> of the claim for lien. R.S.O. 1914, c. 140, s. 19 (2).

**20.**—(1) The registrar, upon payment of the proper fee <sup>Effect of registration.</sup> shall register the claim, describing it as "Mechanic's Lien" against the land therein described in like manner as if it were a mortgage, and shall certify the registration upon the duplicate, but he shall not copy the claim or affidavit in any registry book. R.S.O. 1914, c. 140, s. 20 (1). Amended.

(2) The fee for registration of a claim for lien shall be <sup>Fee for registration.</sup> twenty-five cents, and if several persons join in one claim the registrar shall be entitled to a further fee of ten cents for each person after the first. R.S.O. 1914, c. 140, s. 20 (2).

**21.** Where a claim is so registered the person entitled <sup>Status of lien-holder.</sup> to a lien shall be deemed a purchaser *pro tanto* and within the provisions of *The Registry Act* and *The Land Titles Act*, but except as herein otherwise provided those Acts shall not apply to any lien arising under this Act. R.S.O. 1914, c. 140, s. 21.

**22.**—(1) A claim for lien by a contractor or sub-contractor <sup>Limit of time for registration.</sup> in cases not otherwise provided for, may be registered before or during the performance of the contract, or sub-contract or within thirty days after the completion or abandonment of the contract or sub-contract as the case may be. R.S.O. 1914, c. 140, s. 22 (1). Amended.

- Materials.** (2) A claim for lien for materials may be registered before or during the furnishing or placing thereof, or within thirty days after the furnishing or placing of the last material so furnished or placed.
- Services.** (3) A claim for lien for services may be registered at any time during the performance of the service or within thirty days after the completion of the service.
- Wages.** (4) A claim for lien for wages may be registered at any time during the performance of the work for which such wages are claimed, or within thirty days after the last work is done for which the lien is claimed. R.S.O. 1914, c. 140, s. 22 (2-4).
- In case of supervision by architect, etc., etc.** (5) In the case of a contract which is under the supervision of an architect, engineer or other person upon whose certificates payments are to be made, the claim for lien by a contractor may be registered within the time mentioned in subsection 1, or within seven days after the architect, engineer or other person has given or has, upon application in writing to him by the contractor, refused or neglected for three days after such application to give a final certificate. R.S.O. 1914, c. 140, s. 22 (5). Amended.

#### EXPIRY AND DISCHARGE OF LIEN.

- Expiry of liens.** **23.**—Every lien for which a claim is not registered shall absolutely cease to exist on the expiration of the time hereinbefore limited for the registration thereof, unless in the meantime an action is commenced to realize the claim or in which the claim may be realized, under the provisions of this Act and a certificate thereof is registered in the Registry Office in which the claim for lien might have been registered. R.S.O. 1914, c. 140, s. 23.
- When lien to cease if registered and not proceeded upon.** **24.**—(1) Every lien for which a claim has been registered shall absolutely cease to exist on the expiration of ninety days after the work or service has been completed or materials have been furnished or placed, or after the expiry of the period of credit, where such period is mentioned in the claim for lien registered, or in the cases provided for by subsection 5 of section 22, on the expiration of thirty days from the registration of the claim, unless in the meantime an action is commenced to realize the claim or in which the claim may be realized under the provisions of this Act, and a certificate is registered as provided by the next preceding section.

(2) Where the period of credit mentioned in the claim for lien registered has not expired it shall nevertheless cease to have any effect on the expiration of six months from the registration or any re-registration thereof if the claim is not again registered within that period, unless in the meantime an action is commenced and a certificate thereof has been registered as provided by subsection 1. R.S.O. 1914, c. 140, s. 24. Necessity for renewal.

**25.** The right of a lienholder may be assigned by an instrument in writing and, if not assigned, upon his death shall pass to his personal representative. R.S.O. 1914, c. 140, s. 26. Assignment or death of lienholder.

**26.**—(1) A lien may be discharged by a receipt signed by the claimant, or his agent duly authorized in writing, acknowledging payment, and verified by affidavit and registered. Discharge of lien.

(2) The receipt shall be numbered and entered like other instruments, but shall not be copied in any registry book, and there shall be entered against the entry of the lien to which the discharge relates the word "discharged" and the registration number of such discharge. Registration.

(3) The fee shall be the same as for registering a claim. R.S.O. 1914, c. 140, s. 27 (1-3). Fee.

(4) Upon application the Judge or officer having jurisdiction to try an action to realize a lien, may allow security for or payment into court of the amount of the claim and such costs as the Judge or officer may fix, and may thereupon order that the registration of the lien be vacated or may vacate the registration upon any other proper ground and a certificate of the order may be registered. R.S.O. 1914, c. 140, s. 27 (4). Amended. Security or payment into court and vacating lien thereon.

(a) Any money so paid into court shall take the place of the property discharged and be subject to the claims of all persons for liens to the same extent as if such money was realized by a sale of such property in an action to enforce the lien. New. Money paid into court.

(5) Where the certificate required by section 23 or section 24 has not been registered within the prescribed time, and an application is made to vacate the registration of a claim for lien after the time for registration of such certificate, the order vacating the lien may be made *ex parte* upon production of the certificate of the proper registrar certifying the facts When notice of application to vacate not requisite

entitling the applicant to such order. R.S.O. 1914, c. 140, s. 27 (5). Amended.

#### EFFECT OF TAKING SECURITY OR EXTENDING TIME.

Effect  
generally.

**27.**—(1) The taking of any security for, or the acceptance of any promissory note or bill of exchange for or the taking of any acknowledgement of the claim, or the giving of time for the payment thereof, or the taking of any proceedings for the recovery or the recovery of a personal judgment for the claim, shall not merge, waive, pay, satisfy, prejudice or destroy the lien unless the claimant agrees in writing that it shall have that effect.

When period  
of credit  
not expired.

(2) Where any such promissory note or bill of exchange has been negotiated the lienholder shall not thereby lose his lien, if, at the time of bringing his action to enforce it, or where an action is brought by another lienholder, he is, at the time of proving his claim in such action, the holder of such promissory note or bill of exchange.

Time for  
bringing  
action not  
extended.

(3) Nothing in subsection 2 shall extend the time limited by this Act for bringing the action to enforce the lien. R.S.O. 1914, c. 140, s. 28 (1-3).

Time for  
bringing  
action by  
person who  
gave time  
for  
payment.

(4) A person who has extended the time for payment of a claim for which he has a lien, to obtain the benefit of this section, shall commence an action to enforce such lien within the time prescribed by this Act, and shall register a certificate as required by sections 23 and 24, but no further proceedings shall be taken in the action until the expiration of such extension of time. R.S.O. 1914, c. 140, s. 28 (4). Amended.

Proving  
claim in  
action by  
another  
lienholder.

**28.** Where the period of credit in respect of a claim has not expired, or where there has been an extension of time, for payment of the claim, the lienholder may nevertheless, if an action is commenced by any other person to enforce a lien against the same property, prove and obtain payment of his claim in such action as if the period of credit or the extended time had expired. R.S.O. 1914, c. 140, s. 29.

#### LIENHOLDER'S RIGHTS TO INFORMATION.

Production  
of contract  
or agree-  
ment.

**29.**—(1) Any lienholder may at any reasonable time demand of the owner or his agent the production, for inspection, of the contract or agreement with the contractor for or in respect of which the work, service or material is or is to be performed or furnished or placed, if such contract or agreement is in writing or if not in writing, the terms of

such contract or agreement and the state of the accounts between the owner and the contractor, and if such owner or his agent does not at the time of such demand, or within a reasonable time thereafter, produce the said contract or agreement if in writing or, if not in writing, does not inform the person making such demand of the terms of such contract or agreement and the amount due and unpaid upon such contract or agreement or if he knowingly falsely states the terms of the contract or agreement or the amount due or unpaid thereon and if the person claiming the lien sustains loss by reason of such refusal or neglect or false statement, the owner shall be liable to him in an action therefor for the amount of such loss.

(2) Any lienholder may at any reasonable time demand of a mortgagee or unpaid vendor or his agent the terms of any mortgage on the land or of any agreement for the purchase of the said lands in respect of which the work, service or material is or is to be performed, furnished or placed and a statement showing the amount advanced on the said mortgage or the amount owing on the said agreement as the case may be, and if such mortgagee or vendor or his agent fails to inform said lienholder at the time of such demand or within a reasonable time thereafter of the terms of the said mortgage or agreement and the amount advanced or owing thereon or if he knowingly falsely states the terms of the said mortgage or agreement and the amount owing thereon and such lienholder sustains loss by such refusal or neglect or mis-statement, the mortgagee or vendor shall be liable to him in an action therefor for the amount of such loss.

(3) The Judge or officer having jurisdiction to try an action to realize a lien may, on a summary application at any time before or after an action is commenced for the enforcement of such lien, make an order requiring the owner or his agent or the mortgagee or his agent or unpaid Vendor or his agent as the case may be to produce and allow any lienholder to inspect any such contract or agreement or mortgage or agreement for sale upon such terms as to costs as he may deem just. *New.*

#### ACTION TO REALIZE CLAIM.

**30.**—(1) A lien shall be enforced in the Supreme Court in an action to be commenced by filing in the proper office a statement of claim, verified by affidavit, Form 5, which affidavit may be made by any of the persons named in subsection 2 of section 17. *New.*

**Service.** (2) The statement of claim shall be served within one month after it is filed, but a Judge or officer having jurisdiction to try the action may extend the time for service thereof, and the time for delivering the statement of defence shall be the same as for entering an appearance in an action in the Supreme Court. R.S.O. 1914, c. 140, s. 31 (3). Amended.

**Parties** (4) It shall not be necessary to make any lienholders parties defendant to the action, but all lienholders served with the notice of trial shall for all purposes be deemed parties to the action. R.S.O. 1914, c. 140, s. 31 (4).

**Lienholders joining in action.** **31.**—Any number of lienholders claiming liens on the same land may join in an action and an action brought by a lienholder shall be deemed to be brought on behalf of himself and all other lienholders. R.S.O. 1914, c. 140, s. 32. Amended.

**Who may try action to enforce lien.** **32.**—(1) The action shall be tried in the County of York before the Master-in-Ordinary, or the Assistant Master-in-Ordinary, and outside the County of York before a Judge of the County or District Court of the county or district in which the land is situate. 1916, c. 30, s. 1.

**When action may be tried in Supreme Court.** (2) Notwithstanding the provisions of subsection 1 upon the application of any party to an action, made according to the practice of the Supreme Court, the Court may direct that the action be tried before a Judge of the Supreme Court at the regular sittings of the High Court Division for the trial of actions in the county or district in which the land is situate. *New.*

**Powers of certain officers.** **33.**—(1) The Master-in-Ordinary, Assistant Master-in-Ordinary and the County or District Judge, in addition to their ordinary powers shall have all the jurisdiction, powers and authority of the Supreme Court to try and completely dispose of the action and questions arising therein. 1916, c. 30, s. 2.

**Right of Judge or officer to expert assistance.** (2) The Judge or officer may, before or after the taking of evidence, obtain the assistance of an independent architect, practical builder, engineer or accountant in such way as he thinks fit, the better to enable him to determine any matter of fact in question in any proceeding under this Act, and may act on the certificate of such person after the evidence has been completed and shall in his judgment state where and to what extent he has acted thereon. *New.*

(3) Where an owner enters into an entire contract for the supply of material to be used in several buildings the person supplying such material may ask to have his lien follow the form of the contract and that it be for an entire sum upon all the buildings, but in case the owner has sold one or more of such buildings, the Judge or officer shall have jurisdiction equitably to apportion against the respective buildings the amount included in the claim for lien under the entire contract. *New.*

Where contract covers several buildings.

**34.** Where more actions than one are brought to realize liens in respect of the same land a Judge or officer having jurisdiction to try such actions may, on the application of any party to any one of the actions, or on the application of any other person interested, consolidate all such actions into one action, and may give the conduct of the consolidated action to any plaintiff as he may see fit. R.S.O. 1914, c. 140, s. 35. Amended.

Consolidation of actions.

**35.** Any lienholder entitled to the benefit of an action may apply for the carriage of the proceedings, and the Judge or officer may make an order giving such lienholder the carriage of the proceedings. R.S.O. 1914, c. 140, s. 36.

Transferring carriage of proceedings.

**36.**—(1) After the delivery of the statement of defence where the plaintiff's claim is disputed, or after the time for delivery of defence in all other cases and except where the trial is to take place before a Judge of the Supreme Court under subsection 2 of section 32, either party may apply *ex parte* to a Judge or officer who has jurisdiction to try the action to fix a day for the trial thereof, and the Judge or officer shall appoint the time and place of trial. R.S.O. 1914, c. 140, s. 37 (1); 1914, c. 21, s. 30 (1). Amended.

Appointing day for trial.

(2) The party obtaining an appointment for the trial shall, at least eight clear days before the day appointed, serve notice of trial, Form 6, upon the solicitors for the defendants who appear by solicitors and upon defendants who appear in person, and on all lienholders who have registered their claims as required by this Act or of whose claims he has notice, and on all other persons having any charge, incumbrance or claim on the land subsequent in priority to the lien, who are not parties, and such service shall be personal unless otherwise directed by the Judge or officer who may direct in what manner the notice of trial may be served.

Notice of trial and service of.

- (a) Where any person interested in the land has been served with statement of claim and makes default in delivering statement of defence, he shall nevertheless be served with

notice of trial and shall be entitled to defend on such terms as to costs and otherwise as the Judge or officer trying the action may deem just. R.S.O. 1914, c. 140, s. 37 (2). Amended.

Trial.

(3) The Judge or officer shall try the action and all questions which arise therein or which are necessary to be tried in order to completely dispose of the action and to adjust the rights and liabilities of the persons appearing before him or upon whom the notice of trial has been served, and shall take all accounts, make all inquiries, give all directions and do all other things necessary to finally dispose of the action and of all matters, questions and accounts arising therein or at the trial, and to adjust the rights and liabilities of and give all necessary relief to all parties to the action and all persons who have been served with the notice of trial and shall embody the results in a judgment, Form 7, which judgment may direct payment forthwith by the person or persons primarily liable to pay the amount of the claims and costs as ascertained by the judgment and execution may be issued therefor forthwith. R.S.O. 1914, c. 140, s. 37 (3). Amended.

(a) The form of the judgment may be varied by the Judge or officer in order to meet the circumstances of the case so as to afford to any party to the proceedings any right or remedy in the judgment to which he may be entitled. New.

Sale.

(4) The Judge or officer may order that the estate or interest charged with the lien may be sold and may direct the sale to take place at any time after judgment, allowing, however, a reasonable time for advertising such sale. R.S.O. 1914, c. 140, s. 37 (4). Amended.

Letting in  
lienholders  
who have  
not proved  
their claims  
at trial.

(5) A lienholder who has not proved his claim at the trial, on application to the Judge or officer before whom the action was tried, may be let in to prove his claim on such terms as to costs and otherwise as may be deemed just at any time before the amount realized in the action for the satisfaction of liens has been distributed, and where such a claim is allowed the judgment shall be amended so as to include such claim. R.S.O. 1914, c. 140, s. 37 (6).

Right of  
lienholders  
to represen-  
tation.

(6) Every lienholder for an amount not exceeding \$100 may be represented by an agent who is not a solicitor. R.S.O. 1914, c. 140, s. 37 (7). Amended.



**37.**—(1) Where a sale is had, the moneys arising there-<sup>Report where sale is had.</sup> from shall be paid into court to the credit of the action and the Judge or officer shall make a report on the sale and therein direct to whom the moneys in court shall be paid and may add to the claim of the person conducting the action his fees and actual disbursements incurred in connection with the sale, and where sufficient to satisfy the judgment and costs is not realized from the sale he shall certify the amount of the deficiency and the names of the persons who are entitled to recover the same, showing the amount which each is entitled to recover and the persons adjudged to pay the same, giving credit for payments made, if any, under subsection 3 of section 36, and the persons so entitled may enforce payment of the amounts so found to be due by execution or otherwise. R.S.O. 1914, c. 140, s. 38; 1914, c. 21, s. 30 (2). Amended.

(2) The Judge or officer may make all necessary orders <sup>Completion of sale,—</sup> for the completion of the sale and for vesting the property <sup>Judge's order as to.</sup> in the purchaser. New.

(3) Where a claimant fails to establish a valid lien he <sup>Where lien not established.</sup> may nevertheless recover a personal judgment against any party to the action for such sum as may appear to be due to him and which he might recover in an action against such party provided the claimant in the opinion of the Judge or officer was justified in bringing said action under this Act. R.S.O. 1914, c. 140, s. 49. Amended.

**38.** Where property subject to a lien is sold in an action <sup>Right of lienholders whose claims are not payable to share in proceeds.</sup> to enforce a lien, every lienholder shall be entitled to share in the proceeds of the sale in respect of the amount then owing to him, although the same or part thereof was not payable at the time of the commencement of the action or is not then presently payable. R.S.O. 1914, c. 140, s. 39.

#### NEW TRIAL AND APPEAL.

**39.**—(1) Where the aggregate amount of the claims of <sup>Where judgment of court of first instance to be final.</sup> the plaintiff and all other persons claiming liens is not more than \$100 the judgment shall be final and without appeal. R.S.O. 1914, c. 140, s. 40 (1). Amended.

(2) In all other cases an appeal shall lie and may be had <sup>Appeal in other cases.</sup> in like manner and to the same extent as from the decision of a Judge trying an action in the Supreme Court without a jury, and the costs of the appeal shall not be governed by section 41 or section 42, but <sup>may be awarded without</sup> regard to costs recoverable under these sections. R.S.O. 1914, c. 140, s. 40 (3). Amended.

## FEES AND COSTS.

Limit of  
fees in  
money or  
stamps.

**40.** No fees in stamps or money shall be payable to any Judge or officer in any action brought to realize a lien under this Act, nor on any filing, order, record or judgment or other proceeding in such action excepting that every person other than a wage earner shall on filing his statement of claim where he is plaintiff, or on filing his claim where he is not a plaintiff, pay in stamps \$1 on every \$100 or fraction of \$100 of the amount of his claim up to \$1,000, and \$1 on every \$1,000 or fraction of \$1,000 of the amount of his claim over \$1,000. 1916, c. 30, s. 3.

Limit of  
costs to  
plaintiff.

**41.** The costs of the action, exclusive of actual disbursements awarded to the plaintiffs and successful lienholders, shall not exceed in the aggregate twenty-five per cent. of the total amount found to have been actually due on the liens at the time of the registration thereof, and shall be apportioned and borne in such proportion as the Judge or officer who tries the action may direct, but in making such apportionment he shall have regard to the actual services rendered by or on behalf of the parties respectively. R.S.O. 1914, c. 140, s. 42. Amended.

Limit of  
costs to  
be awarded  
against  
plaintiffs.

**42.** Where costs are awarded against the plaintiff or other persons claiming liens they shall not exceed twenty-five per cent. of the claim of the plaintiff and the other claimants, besides actual disbursements, and shall be apportioned and borne as the Judge or officer may direct. R.S.O. 1914, c. 140, s. 43.

Costs where  
least expen-  
sive course  
not taken.

**43.** Where the least expensive course is not taken by a plaintiff, the costs allowed to him shall in no case exceed what would have been incurred if the least expensive course had been taken. R.S.O. 1914, c. 140, s. 44.

Costs of  
drawing and  
registering  
and vacating  
registration  
of lien.

**44.** Where a lien is discharged or vacated under section 26, or where judgment is given in favour of or against a claim for a lien, in addition to the costs of the action, the Judge or officer may allow a reasonable amount for the costs of drawing and registering the claim for lien or of vacating the registration thereof, but this shall not apply where the claimant fails to establish a valid lien. R.S.O. 1914, c. 140, s. 45. Amended.

Costs not  
otherwise  
provided for.

**45.** Except as otherwise herein provided, all costs of and incidental to all applications and orders shall be in the discretion of the Judge or officer. R.S.O. 1914, c. 140, s. 46. Amended.

## PAYMENTS OUT OF COURT.

**46.**—(1) Where money has been paid into Court and Payment of money out of court. the time for the payment out has arrived, the Judge or officer shall forward a certified copy of his judgment and of the report on sale, if any, to the Accountant of the Supreme Court, whereupon the cheques shall be delivered by the Accountant to the persons entitled, or their solicitors, in accordance with the usual practice of the Accountant's office. R.S.O. 1914, c. 140, s. 47 (1); 1914, c. 21, s. 31 (2). Amended.

(2) No fees or stamps shall be payable on any cheques Fees. or on proceedings to pay money into court or to obtain money out of court, in respect of a claim for lien, but sufficient postage stamps to prepay a return registered letter shall be enclosed with every requisition for cheques. R.S.O. 1914, c. 140, s. 47 (2).

## RULES OF PROCEDURE.

**47.** Proceedings for the enforcement of claims for liens Rules of procedure. under this Act shall be subject to the rules set out in Schedule "B" to this Act. New.

## LIENS ON CHATTELS.

**48.**—(1) Every mechanic or other person who has be- Right of mechanics entitled to lien on a chattel to sell chattel. stowed money or skill and materials upon any chattel or thing in the alteration or improvement of its properties, or for the purpose of imparting an additional value to it so as thereby to be entitled to a lien upon such chattel or thing for the amount or value of the money or skill and materials bestowed shall, while such lien exists but not afterwards, in case the amount to which he is entitled remains unpaid for three months after the same ought to have been paid, have the right in addition to any other remedy to which he may be entitled to sell by auction the chattel or thing, on giving one week's notice by advertisement in a newspaper published in the municipality in which the work was done, or in case there is no newspaper published in such municipality then in a newspaper published nearest thereto, setting forth the name of the person indebted, the amount of the debt, a description of the chattel or thing to be sold, the time and place of sale, and the name of the auctioneer, and leaving a like notice in writing at the last known place of residence if any, of the owner, if he is a resident of such municipality.

Application  
of proceeds  
of sale.

(2) Such mechanic or other person shall apply the proceeds of the sale in payment of the amount due to him and the costs of advertising and sale and shall, upon application pay over any surplus to the person entitled thereto. R.S.O. 1914, c. 140, s. 50.

Rev. Stat.  
c. 140; 1914  
c. 21, ss.  
30 and 31;  
1916 c. 30;  
1918 c. 29,  
repealed.

**49.** *The Mechanics' and Wage Earners' Lien Act*, being Chapter 140 of the Revised Statutes of Ontario, 1914; sections 30 and 31 of *The Statute Law Amendment Act, 1914*; *An Act to amend The Mechanics' and Wage Earners' Lien Act, 1916*; and *An Act to amend The Mechanics' and Wage Earners' Lien Act, 1918*, are hereby repealed.

Commence-  
ment of Act.

**50.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

## FORM 1.

(Sections 17-22).

## CLAIM FOR LIEN.

A.B. (name of claimant) of (here state residence of claimant), (if claimant is a personal representative or assignee set out the facts) under *The Mechanics' and Wage Earners' Lien Act* claims a lien upon the estate of (here state the name and residence of owner of the land upon which the lien is claimed), in the undermentioned land in respect of the following work (or service or materials) that is to say (here give a short description of the nature of the work done or to be done, or materials furnished or to be furnished, and for which the lien is claimed) which work (or service) was (or is to be) done (or materials were or are to be furnished) for (here state the name and residence of the person upon whose request the work is done or to be done, or the materials furnished or to be furnished) on or before the day of 19 .

The amount claimed as due (or to become due) is \$ .

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Where credit has been given, insert: The work was done (or materials were furnished) on credit, and the period of credit agreed to expired (or will expire) on the day of 19 .

Dated at this day of 19 .  
(Signature of claimant)

R.S.O. 1914, c. 140, Form 1.

## FORM 2.

(Sections 17-22)

## CLAIM FOR LIEN FOR WAGES.

A.B. (name of claimant) of (here state residence of claimant), (if claimant is a personal representative or assignee set out the facts) under *The Mechanics' and Wage Earners' Lien Act* claims a lien upon the estate of (here state the name and residence of owner of the land upon which the lien is claimed), in the undermentioned land in respect of work performed (or to be performed) thereon while in the employment of (here state the name and residence of the person upon whose request the work was or is to be performed) on or before the day of 19 .

The amount claimed as due (or to become due) is \$ .

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Dated at this day of 19 .  
(Signature of claimant)

R.S.O. 1914, c. 140, Form 2.

## FORM 3.

(Sections 17-22)

## CLAIM FOR LIEN FOR WAGES BY SEVERAL CLAIMANTS.

The following persons claim a lien under *The Mechanics' and Wage Earners' Lien Act* upon the estate of (here state the name and residence of the owner of land upon which the lien is claimed) in the undermentioned



## FORM 6.

(Section 36).

## NOTICE OF TRIAL.

*(Style of Court and Cause)*

Take notice that this action will be tried at the

in the \_\_\_\_\_ of \_\_\_\_\_, in the County (or District)  
 of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ by  
 \_\_\_\_\_ and at such time and place the \_\_\_\_\_ will

proceed to try the action and all questions which arise in or which are necessary to be tried completely to dispose of the action and to adjust the rights and liability of the persons appearing before him, or upon whom this notice of trial has been served, and at such trial he will take all accounts, make all enquiries and give all directions and do all things necessary to try and otherwise finally dispose of this action, and of all matters, questions and accounts arising therein and will give necessary relief to all parties.

And further take notice that if you do not appear at the trial and prove your claim, if any, (*or* your defence, if any) to the action, the proceedings will be taken in your absence and you may be deprived of all benefit of the proceedings and your rights disposed of in your absence.

This is a Mechanics' Lien action brought by the above named plaintiffs against the above named defendants to enforce a Mechanics' Lien against the following lands:— (*set out description of lands*).

This notice is served by, etc.

Dated \_\_\_\_\_ 19 \_\_\_\_.

To \_\_\_\_\_

R.S.O. 1914, c. 140, Form 6.

## FORM 7.

(Section 36).

## JUDGMENT.

In the Supreme Court of Ontario,

Monday, the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

Name of Judge or Officer:

William Spencer, Plaintiff,

and

Thomas Burns, Defendant.

This action coming on for trial before \_\_\_\_\_ at \_\_\_\_\_ upon opening of the matter and it appearing that the following persons have been duly served with notice of trial herein, (*set out names of all persons served with notice of trial*) and all such persons (*or as the case may be*) appearing at the trial (*or* and the following persons not having appeared *set out names of non-appearing persons*) and upon hearing the evidence adduced and what was alleged by counsel for the plaintiff and for C.D. and E.F. and the defendant (*or* and by A.B. appearing in person).

1. This court doth declare that the plaintiff and the several persons mentioned in the first Schedule hereto are respectively entitled to a lien under *The Mechanics' and Wage Earners' Lien Act* upon the land described in the second Schedule hereto for the amounts set opposite their respective names in the 2nd, 3rd and 4th columns of the said first Schedule, and the persons primarily liable for the said claims respectively are set forth in the 5th column of the said Schedule.

2. (And this court doth further declare that the several persons mentioned in Schedule 3 hereto are also entitled to some lien charge or incumbrance upon the said land for the amounts set opposite their respective names in the 4th column of the said Schedule 3, *according to the facts*).

3. And this court doth further order and adjudge that upon the defendant (*A.B.*, the owner) paying into court to the credit of this action the sum of *(gross amount of liens in Schedules 1 and 3 for which owner is liable)* on or before the day of \_\_\_\_\_ next, that the said liens in the said first Schedule mentioned be and the same are hereby discharged, (and the several persons in the said third Schedule are to release and discharge their said claims and assign and convey the said premises to the defendant (*owner*) and deliver up all documents on oath to the said defendant (*owner*) or to whom he may appoint) and the said money so paid into court is to be paid out in payment of the claims of the said lienholders (*or and incumbrances*).

4. In case the said defendant (*owner*) shall make default in payment of the said money into court this court doth order and adjudge that the said land be sold with the approbation of the Master of this court at \_\_\_\_\_ and that the purchase money be paid into court to the credit of this action, and that all proper parties do join in the conveyances as the said Master shall direct.

5. And this court doth order and adjudge that the said purchase money be applied in or towards payment of the several claims in the said first (and third) Schedule (*S*) mentioned as the said Master shall direct, with subsequent interest and subsequent costs to be computed and taxed by the said Master.

6. And this court doth further order and adjudge that in case the said purchase money shall be insufficient to pay in full the claims of the several persons mentioned in the said first Schedule, the persons primarily liable for such claim as shown in the first Schedule do pay to the persons to whom they are respectively primarily liable the amount remaining due to such persons forthwith after the same shall have been ascertained by the said Master.

7. (And this court doth declare that \_\_\_\_\_ have not proved any lien under *The Mechanics' and Wage Earners' Lien Act* and that they are not entitled to any such lien, and this court doth order and adjudge that the claims of liens registered by them against the land mentioned in the second Schedule be and the same are hereby discharged, *according to the fact*).

R.S.O. 1914, c. 140, Form 7.



## SCHEDULE 1.

Names of lien-holders entitled to mechanics' liens.	Amount of debt and interest (if any).	Costs	Total	Names of primary debtors.

(Signature of officer).

R.S.O. 1914, c. 140, Schedule 1.

## SCHEDULE 2.

The lands in question in this matter are

(Set out a description sufficient for registration purposes).

(Signature of officer).

R.S.O. 1914, c. 140, Schedule 2.

## SCHEDULE 3.

Names of persons entitled to incumbrances other than mechanics' liens.	Amount of debt and interest (if any)	Costs	Total

(Signature of Officer.)

R.S.O. 1914, c. 140, Schedule 3.

## SCHEDULE "B"

## RULES OF PROCEDURE.

1. The duplicate of every claim for lien registered in pursuance of subsection 1 of section 20 shall be filed in the office of the Master in Ordinary, the clerk of the County or District Court of the County or District affected, on or before the trial of the action and such duplicate shall constitute prima facie proof of the lienholder's claim, subject, however, to Rule 3.

2. After the commencement of any action under this Act any lienholder or other person interested may move before the judge or officer having jurisdiction to speed the trial of said action.

3. Upon the day appointed for the trial of an action under this Act the parties interested shall appear and every lienholder shall file detailed particulars of his claim verified by affidavit if not set out in claim for lien filed and the judge or officer having jurisdiction shall proceed at such sittings to adjudicate upon such claims, taking up first the smallest claims and disposing of as many of such as possible either by consent of the parties interested or upon proper evidence to be adduced before him, subject, however, to the judge or officer having jurisdiction to grant an adjournment of the trial of any of said claims at said sitting upon proper cause shown.

4. Every lienholder who does not register a claim for lien and whose lien is preserved by an action commenced by another lienholder shall nevertheless before the day appointed for the trial of said action give written notice of his lien to the owner or his agent, the mortgagee or his agent and the lienholder who has commenced action and deposit with the proper officer of the county or district concerned particulars of his claim verified by affidavit.

5. The object of this Act being to enforce liens at the least expense, the procedure shall be of a summary character so far as possible, having regard to the amount and nature of the liens in question.

6. No interlocutory proceedings shall be permitted except such as are provided by this Act, without the consent of the judge or officer having jurisdiction and then only upon proper proof that such proceedings are in the interests of justice.



4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Liens of Mechanics,  
Wage Earners and Others.

1st Reading,	25th January, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANNEY.

# BILL

## An Act respecting Liens of Mechanics, Wage Earners and Others.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Mechanics' and Wage* Short title.  
*Earners' Lien Act, 1923*, R.S.O. 1914, c. 140. s. 1.

**2.** In this Act,—

Interpreta-  
tion.

- (a) "Contractor" shall mean a person contracting with or employed directly by the owner or his agent for the doing of work or service or placing or furnishing materials for any of the purposes mentioned in this Act; "Contractor."
- (b) "Material" or "Materials" shall include every kind of moveable property; "Material."
- (c) "Owner" shall extend to any person, body corporate or politic, including a municipal corporation and a railway company having any estate or interest in the land upon which or in respect of which the work or service is done, or materials are placed or furnished at whose request and "Owner."
- (i) upon whose credit, or
- (ii) on whose behalf, or
- (iii) with whose privity and consent, or
- (iv) for whose direct benefit

work or service is performed or materials are placed or furnished and all persons claiming under him or them whose rights are acquired after the work or service in

respect of which the lien is claimed is commenced or the materials furnished have been commenced to be furnished;

- "Registrar." (d) "Registrar" shall include Master of Titles and Local Master of Titles;
- "Registry Office." (e) "Registry Office" shall include Land Titles Office;
- "Sub-contractor." (f) "Sub-contractor" shall mean a person not contracting with or employed directly by the owner or his agent for the purposes aforesaid, but contracting with or employed by a contractor, or under him by another sub-contractor; R.S.O. 1914, c. 140, s. 2 (a-f).
- "Wages." (g) "Wages" shall mean money earned by a mechanic or labourer for work done, whether by time or as piece work. R.S.O. 1914, c. 140, s. 2 (g). Amended.

Exception of streets or highways. **3.** Nothing in this Act shall extend to any public street or highway, or to any work or improvement done or caused to be done by a municipal corporation thereon. R.S.O. 1914, c. 140, s. 3.

Contracts waiving application of Act to be void. **4.—**(1) Every agreement, verbal or written, express or implied, on the part of any workman, servant, labourer, mechanic or other person employed in any kind of manual labour intended to be dealt with in this Act, that this Act shall not apply, or that the remedies provided by it shall not be available for the benefit of such person, shall be null and void. R.S.O. 1914, c. 140, s. 4 (1).

Exception as to certain employees. (2) This section shall not apply to a manager, officer or foreman, or to any other person whose wages are more than \$10 a day. R.S.O. 1914, c. 140, s. 4 (2). Amended.

Effect upon third party of agreement waiving lien. **5.** No agreement shall deprive any person otherwise entitled to a lien under this Act who is not a party to the agreement, of the benefit of the lien, but it shall attach, notwithstanding such agreement. R.S.O. 1914, c. 140, s. 5.

General right of workman or material man to a lien. **6.—**(1) Unless he signs an express agreement to the contrary and in that case subject to the provisions of section 4, any person who performs any work or service upon or in respect of, or places or furnishes any materials to be used in the making, constructing, erecting, fitting, altering, improving or repairing of any erection, building, railway, land, wharf,

pier, bulkhead, bridge, trestlework, vault, mine, well, excavation, fence, sidewalk, pavement, fountain, fishpond, drain, sewer, aqueduct, roadbed, way, fruit or ornamental trees, or the appurtenances to any of them for any owner, contractor, or sub-contractor, shall by virtue thereof have a lien for the price of such work, service or materials upon the estate or interest of the owner in the erection, building, railway, land, wharf, pier, bulkhead, bridge, trestlework, vault, mine, well, excavation, fence, sidewalk, paving, fountain, fishpond, drain, sewer, aqueduct, roadbed, way, fruit or ornamental trees, and appurtenances and the land occupied thereby or enjoyed therewith, or upon or in respect of which such work or service is performed, or upon which such materials are placed or furnished to be used, limited, however, in amount to the sum justly due to the person entitled to the lien and to the sum justly owing, except as herein provided, by the owner; the placing or furnishing of such materials to be used, upon the said lands or such other place in the immediate vicinity of the said land designated by the owner or his agent shall be good and sufficient delivery for the purpose of this Act, but delivery on the said designated land shall not make such land subject to a lien. R.S.O. 1914, c. 140, s. 6; 1918, c. 29, s. 1. Amended.

(2) The lien given by subsection 1 shall attach to the lands as therein set out where the materials delivered to be used are incorporated into the buildings, erections or structures on such land, notwithstanding such materials may not have been delivered in strict accordance with the provisions of subsection 1. New.

7. Where work is done or services are performed or materials are furnished to be used upon or in respect of the land of a married woman or in which she has any interest or an inchoate right of dower, with the privity and consent of her husband he shall be conclusively presumed to be acting as her agent as well as for himself for the purposes of this Act unless before doing such work or performing such services or furnishing such materials the person doing, performing or furnishing the same shall have had actual notice to the contrary. R.S.O. 1914, c. 140, s. 7. Amended.

8.—(1) Where the estate or interest upon which the lien attaches is leasehold the fee simple shall also be subject to the lien, provided the person doing the work or supplying the material gives notice in writing, by registered letter or personal service, referring to the section, to the owner or his agent of the work to be done or material to be furnished, unless the owner or his agent within ten days thereafter gives notice to such person that he will not be responsible therefor.

Forfeiture or  
cancellation of  
lease,—effect  
of on lien-  
holder.

(2) No forfeiture or attempted forfeiture of the lease on the part of the landlord or cancellation or attempted cancellation of the lease except for non-payment of rent shall deprive any person otherwise entitled to a lien under this Act of the benefit of the lien provided that the person entitled to the lien may pay any rent accruing after he becomes so entitled and the amount so paid may be added to his claim.

Prior  
mortgage.

(3) Where the land and premises upon or in respect of which any work or service is performed or materials are furnished to be used, is encumbered by a prior mortgage or other charge existing in fact before any lien arises such mortgage or other charge shall have priority over all liens under this Act to the extent of the actual value of such land and premises at the time the first lien arose, such value to be ascertained by the Judge or officer having jurisdiction to try the action by proper evidence to be adduced before him. New.

Agreement  
for purchase.

(4) Where there is an agreement for the purchase of land and the purchase money or a part thereof is unpaid and no conveyance has been made to the purchaser he shall for the purposes of this Act be deemed a mortgagor and the seller a mortgagee. R.S.O. 1914, c. 140, s. 14 (2).

Application  
of insurance  
when lien  
attaches.

**9.** Where any of the property upon which a lien attaches is wholly or partly destroyed by fire any money received by reason of any insurance thereon by an owner or prior mortgagee or chargee shall take the place of the property so destroyed and shall, after satisfying any prior mortgage or charge in the manner and to the extent set out in subsection 3 of section 8, be subject to the claims of all persons for liens to the same extent as if such money had been realized by a sale of such property in an action to enforce the lien. R.S.O. 1914, c. 140, s. 9. Amended.

Limit of  
amount of  
owner's  
liability.

**10.** Save as herein otherwise provided the lien shall not attach so as to make the owner liable for a greater sum than the sum payable by the owner to the contractor. R.S.O. 1914, c. 140, s. 10.

Limit of  
lien when  
claimed by  
some other  
than con-  
tractor.

**11.** Save as herein otherwise provided where the lien is claimed by any person other than the contractor the amount which may be claimed in respect thereof shall be limited to the amount owing to the contractor or subcontractor or other person for whom the work or service has been done or the materials placed or furnished. R.S.O. 1914, c. 140, s. 11.



**12.**—(1) In all cases the person primarily liable upon any contract under or by virtue of which a lien may arise shall, as the work is done or materials are furnished under the contract, retain for a period of thirty days after the completion or abandonment of the work done or to be done under the contract twenty per cent. of the value of the work, service and materials actually done, placed or furnished, as mentioned in section 6 irrespective of whether the contract or subcontract provides for partial payments or payment on completion of the work and such value shall be calculated on the basis of the contract price, or if there is no specific contract price, then on the basis of the actual value of the work, service or materials. R.S.O. 1914, c. 140, s. 12 (1). Amended.

Retention of  
percentage of  
by owner  
for thirty  
days.

(2) Where the contract price or actual value exceeds \$15,000 the amount to be retained shall be fifteen per cent. instead of twenty per cent. R.S.O. 1914, c. 140, s. 12 (2).

Where con-  
tract price  
exceeds  
\$15,000.

(3) The lien shall be a charge upon the amount directed to be retained by this section in favour of lienholders whose liens are derived under persons to whom such moneys so required to be retained are respectively payable. R.S.O. 1914, c. 140, s. 12 (3). Amended.

Effect of  
lien on  
amounts  
retained.

(4) All payments up to eighty per cent. as fixed by subsection 1 or up to eighty-five per cent. as fixed by subsection 2 made in good faith by an owner to a contractor, or by a contractor to a sub-contractor, or by one sub-contractor to another sub-contractor, before notice in writing of such lien given by the person claiming the lien to the owner, contractor, or sub-contractor as the case may be shall operate as a discharge *pro tanto* of the lien. R.S.O. 1914, c. 140, s. 12 (4). Amended.

Payments  
made in  
good faith  
without  
notice of  
lien.

(5) Payment of the percentage required to be retained under this section may be validly made so as to discharge all liens or charges in respect thereof after the expiration of the period of thirty days mentioned in subsection 1 unless in the meantime proceedings have been commenced to enforce any lien or charge against such percentage as provided by sections 23 and 24, in which case the owner may pay the percentage into Court in such proceedings and such payment shall constitute valid payment in discharge of the owner to the amount thereof. R.S.O. 1914, c. 140, s. 12 (5). Amended.

Payment of  
percentage  
and  
discharge  
of liens.

**13.**—(1) If an owner, contractor or sub-contractor makes a payment to any person entitled to a lien under section 6 for or on account of any debt, justly due to him for work or service done or for materials placed or furnished to be

Payments  
made direct  
by owner  
to persons  
entitled to  
lien.

used as therein mentioned, for which he is not primarily liable, and within three days afterwards gives written notice of such payment to the person primarily liable, or his agent, such payment shall be deemed to be a payment on his contract generally to the contractor or sub-contractor primarily liable but not so as to affect the percentage to be retained by the owner as provided by section 12. R.S.O. 1914, c. 140, s. 13. Amended.

Rights of  
sub-con-  
tractor on  
non-comple-  
tion or aban-  
donment of  
contract.

(2) Every sub-contractor shall be entitled to enforce his lien notwithstanding the non-completion or abandonment of the contract by any contractor or sub-contractor under whom he claims. New.

Priority of  
lien.

**14.**—(1) The lien shall have priority over all judgments, executions, assignments, attachments, garnishments and receiving orders recovered, issued or made after such lien arises, and over all payments or advance made on account of any conveyance or mortgage after notice in writing of such lien to the person making such payments or after registration of a claim for such lien as hereinafter provided. R.S.O. 1914, c. 140, s. 14 (1).

Priority  
among  
lienholders.

(2) Except where it is otherwise provided by this Act no person entitled to a lien on any property or money shall be entitled to any priority or preference over another person of the same class entitled to a lien on such property or money, and each class of lienholders shall rank *pari passu* for their several amounts, and the proceeds of any sale shall be distributed among them *pro rata* according to their several classes and rights. R.S.O. 1914, c. 140, s. 14 (3).

#### WAGES.

Priority of  
lien  
for wages.

**15.**—(1) Every mechanic or labourer whose lien is for wages shall, to the extent of thirty days' wages, have priority over all other liens derived through the same contractor or sub-contractor to the extent of and on the twenty per cent. or fifteen per cent. as the case may be, directed to be retained by section 12 to which the contractor or sub-contractor through whom such lien is derived is entitled and all such mechanics and labourers shall rank thereon *pari passu*. R.S.O. 1914, c. 140, s. 15 (1).

Enforcing  
lien in  
such cases.

(2) Every wage earner shall be entitled to enforce a lien in respect of any contract or sub-contract not completely fulfilled and, notwithstanding anything to the contrary in this Act provided, may serve a notice of motion on the proper parties returnable in four days after service thereof before

the Judge or officer having jurisdiction under this Act, that said applicant will on the return of the motion ask for judgment on his claim for lien, registered particulars of which shall accompany such notice of motion duly verified by affidavit. R.S.O. 1914, c. 140, s. 15 (2). Amended.

(3) If the contract has not been completed when the lien is claimed by a wage earner, the percentage shall be calculated on the value of the work done or materials furnished by the contractor or subcontractor by whom such wage earner is employed having regard to the contract price, if any. R.S.O. 1914, c. 140, s. 15 (3). Calculating percentage when contract not fulfilled.

(4) Where the contractor or sub-contractor makes default in completing his contract the percentage shall not as against a wage earner claiming a lien, be applied by the owner or contractor to the completion of the contract or for any other purpose nor to the payment of damages for the non-completion of the contract by the contractor or sub-contractor nor in payment or satisfaction of any claim against the contractor or sub-contractor. R.S.O. 1914, c. 140, s. 15 (4). Percentage not to be otherwise applied.

(5) Every device by an owner, contractor or sub-contractor to defeat the priority given to a wage earner for his wages and every payment made for the purpose of defeating or impairing a lien shall be null and void. R.S.O. 1914, c. 140, s. 15 (5). Devices to defeat priority of wage earners.

#### MATERIAL.

**16.**—(1) During the continuance of a lien no part of the material affected thereby shall be removed to the prejudice of the lien. R.S.O. 1914, c. 140, s. 16 (1). Restraining attempt to remove material affected by lien.

(2) Material actually delivered to be used for any of the purposes enumerated in section 6, shall be subject to a lien in favour of the person furnishing it until placed in the building, erection or work, and shall not be subject to execution or other process to enforce any debt other than for the purchase thereof due to the person furnishing the same. R.S.O. 1914, c. 140, s. 16 (2); 1918, c. 29, s. 2. Amended. Exemption from execution of material furnished for certain purposes.

(3) The Judge or officer trying the action may direct the sale of any material or authorize its removal. R.S.O. 1914, c. 140, s. 37 (5). Amended. Sale of material.

## REGISTRATION OF LIEN.

(As to registration of liens against mining claims and mining lands, see R.S.O. 1914, c. 32, s. 182.)

Registration of claim for lien.

**17.**—(1) A claim for a lien, Forms 1, 2 and 3 may be registered in the proper Registry Office and shall set out:—

- (a) the name and residence of the person claiming the lien and of the owner or of the person whom the person claiming the lien, or his agent, believes to be the owner of the land, and of the person for whom the work or service was or is to be done, or materials furnished or placed, and the time within which the same was or was to be done or furnished or placed;
- (b) a short description of the work or service done or to be done, or materials furnished or placed or to be placed or to be furnished or placed;
- (c) the sum claimed as due or to become due;
- (d) a description of the land sufficient for the purpose of registration and where the land is registered under *The Land Titles Act*, also a reference to the number of the parcel of the land and to the register in which such land is registered in the Land Titles Office.
- (e) the date of expiry of the period of credit when credit has been given. R.S.O. 1914, c. 140, s. 17 (1). Amended.

Form of affidavit

(2) The claim shall be verified *in duplicate* by the affidavit, Form 4, of the person claiming the lien, or of his agent or assignee, having a personal knowledge of the matters required to be verified, and the affidavit of the agent or assignee shall state that he has such knowledge. R.S.O. 1914, c. 140, s. 17 (2).

Description of lands where lien registered against railway.



(3) When it is desired to register a claim for lien against a railway it shall be sufficient description of the land of the railway company to describe it as the land of the railway company and every such claim shall be registered in the general register in the office for the registry division within which such lien is claimed to have arisen. R.S.O. 1914, c. 140, s. 17 (3). Amended.

**18.**—(1) A claim for lien may include claims against <sup>What may be included in claim.</sup> any number of properties, and any number of persons claiming liens upon the same property may unite therein, but where more than one lien is included in one claim each lien shall be verified by affidavit as provided in section 17. R.S.O. 1914, c. 140, s. 18.

(2) The Judge or officer shall have jurisdiction equitably <sup>Apportionment of claims against different properties.</sup> to apportion against the respective properties the amounts included in any claim or claims for liens under subsection 1. New.

**19.**—(1) A substantial compliance with sections 17, 18 <sup>Informality in cases of registering liens.</sup> and 30 shall be sufficient and no lien shall be invalidated by reason of failure to comply with any of the requisites of these sections unless, in the opinion of the Judge or officer who tries an action under this Act, the owner, contractor or sub-contractor, mortgagee or other person, is prejudiced thereby, and then only to the extent to which he is thereby prejudiced. R.S.O. 1914, c. 140, s. 19 (1); 1916, c. 30, s. 4. Amended.

(2) Nothing in this section shall dispense with registration <sup>Exception.</sup> of the claim for lien. R.S.O. 1914, c. 140, s. 19 (2).

**20.**—(1) The registrar, upon payment of the proper fee <sup>Effect of registration.</sup> shall register the claim, describing it as "Mechanic's Lien" against the land therein described in like manner as if it were a mortgage, and shall certify the registration upon the duplicate, but he shall not copy the claim or affidavit in any registry book,  and the duplicate shall be filed in the office of the Master in Ordinary or the clerk of the County or District Court of the County or District in which the land is situate on or before the trial of the action.  R.S.O. 1914, c. 140, s. 20 (1). Amended.

(2) The fee for registration of a claim for lien shall be <sup>Fee for registration.</sup> twenty-five cents, and if several persons join in one claim the registrar shall be entitled to a further fee of ten cents for each person after the first. R.S.O. 1914, c. 140, s. 20 (2).

**21.** Where a claim is so registered the person entitled <sup>Status of lien-holder.</sup> to a lien shall be deemed a purchaser *pro tanto* and within the provisions of *The Registry Act* and *The Land Titles Act*, but except as herein otherwise provided those Acts shall not apply to any lien arising under this Act. R.S.O. 1914, c. 140, s. 21.

**22.**—(1) A claim for lien by a contractor or sub-contractor <sup>Limit of time for registration</sup> in cases not otherwise provided for, may be registered before or during the performance of the contract; or of the sub-



contract or within thirty days after the completion or abandonment of the contract or *of the* sub-contract as the case may be. R.S.O. 1914, c. 140, s. 22 (1). Amended.

**Materials.** (2) A claim for lien for materials may be registered before or during the furnishing or placing thereof, or within thirty days after the furnishing or placing of the last material so furnished or placed.

**Services.** (3) A claim for lien for services may be registered at any time during the performance of the service or within thirty days after the completion of the service.

**Wages.** (4) A claim for lien for wages may be registered at any time during the performance of the work for which such wages are claimed, or within thirty days after the last work is done for which the lien is claimed. R.S.O. 1914, c. 140, s. 22 (2-4).

**In case of supervision by architect, etc., etc.** (5) In the case of a contract which is under the supervision of an architect, engineer or other person upon whose certificates payments are to be made, the claim for lien by a contractor may be registered within the time mentioned in subsection 1, or within seven days after the architect, engineer or other person has given or has, upon application in writing to him by the contractor, refused or neglected for three days after such application to give a final certificate. R.S.O. 1914, c. 140, s. 22 (5). Amended.

 (6) Every lienholder who does not register a claim for lien and whose lien is preserved by an action commenced by another lienholder shall nevertheless before the day appointed for the trial of such action give written notice of his lien to the owner or his agent, the mortgagee or his agent and the lienholder who has commenced action, and deposit with the proper officer of the county or district concerned, particulars of his claim verified by affidavit. *New.* 

#### EXPIRY AND DISCHARGE OF LIEN.

**Expiry of liens.** **23.**—Every lien for which a claim is not registered shall absolutely cease to exist on the expiration of the time hereinbefore limited for the registration thereof, unless in the meantime an action is commenced to realize the claim or in which the claim may be realized, under the provisions of this Act and a certificate thereof is registered in the Registry Office in which the claim for lien might have been registered. R.S.O. 1914, c. 140, s. 23.

**24.**—Every lien for which a claim has been registered shall absolutely cease to exist on the expiration of ninety days after the work or service has been completed or materials have been furnished or placed, or after the expiry of the period of credit, where such period is mentioned in the claim for lien registered, or in the cases provided for by subsection 5 of section 22, on the expiration of thirty days from the registration of the claim, unless in the meantime an action is commenced to realize the claim or in which the claim may be realized under the provisions of this Act, and a certificate is registered as provided by the next preceding section.

When lien  
to cease  
if registered  
and not pro-  
ceeded  
upon.

**25.** The right of a lienholder may be assigned by an instrument in writing and, if not assigned, upon his death shall pass to his personal representative. R.S.O. 1914, c. 140, s. 26.

Assign-  
ment or  
death of  
lienholder.

**26.**—(1) A lien may be discharged by a receipt signed by the claimant, or his agent duly authorized in writing, acknowledging payment, and verified by affidavit and registered.

Discharge  
of lien.

(2) The receipt shall be numbered and entered like other instruments, but shall not be copied in any registry book, and there shall be entered against the entry of the lien to which the discharge relates the word "discharged" and the registration number of such discharge.

Registration.

(3) The fee shall be the same as for registering a claim. R.S.O. 1914, c. 140, s. 27 (1-3).

Fee.

(4) Upon application the Judge or officer having jurisdiction to try an action to realize a lien, may allow security for or payment into court of the amount of the claim and such costs as the Judge or officer may fix, and may thereupon order that the registration of the lien be vacated or may vacate the registration upon any other proper ground and a certificate of the order may be registered. R.S.O. 1914, c. 140, s. 27 (4). Amended.

Security or  
payment  
into court  
and vacat-  
ing lien  
thereon.

(a) Any money so paid into court shall take the place of the property discharged and be subject to the claims of all persons for liens to the same extent as if such money was realized by a sale of such property in an action to enforce the lien. New.

Money paid  
into court.

(5) Where the certificate required by section 23 or section 24 has not been registered within the prescribed time, and an application is made to vacate the registration of a claim for lien after the time for registration of such certificate, the order vacating the lien may be made *ex parte* upon production of the certificate of the proper registrar certifying the facts

When notice  
of applica-  
tion to  
vacate not  
requisite.

entitling the applicant to such order. R.S.O. 1914, c. 140, s. 27 (5). Amended.

#### EFFECT OF TAKING SECURITY OR EXTENDING TIME.

Effect  
generally.

**27.**—(1) The taking of any security for, or the acceptance of any promissory note or bill of exchange for or the taking of any acknowledgement of the claim, or the giving of time for the payment thereof, or the taking of any proceedings for the recovery or the recovery of a personal judgment for the claim, shall not merge, waive, pay, satisfy, prejudice or destroy the lien unless the claimant agrees in writing that it shall have that effect.

When period  
of credit  
not expired.

(2) Where any such promissory note or bill of exchange has been negotiated the lienholder shall not thereby lose his lien, if, at the time of bringing his action to enforce it, or where an action is brought by another lienholder, he is, at the time of proving his claim in such action, the holder of such promissory note or bill of exchange.

Time for  
bringing  
action not  
extended.

(3) Nothing in subsection 2 shall extend the time limited by this Act for bringing the action to enforce the lien. R.S.O. 1914, c. 140, s. 28 (1-3).

Time for  
bringing  
action by  
person who  
gave time  
for  
payment.

(4) A person who has extended the time for payment of a claim for which he has a lien, to obtain the benefit of this section, shall commence an action to enforce such lien within the time prescribed by this Act, and shall register a certificate as required by sections 23 and 24, but no further proceedings shall be taken in the action until the expiration of such extension of time. R.S.O. 1914, c. 140, s. 28 (4). Amended.

Proving  
claim in  
action by  
another  
lienholder.



**28.** Where the period of credit in respect of a claim has not expired, or where there has been an extension of time, for payment of the claim, the lienholder may nevertheless, if an action is commenced by any other person to enforce a lien against the same property, prove and obtain payment of his claim in such action as if the period of credit or the extended time had expired. R.S.O. 1914, c. 140, s. 29.



#### LIENHOLDER'S RIGHTS TO INFORMATION.

Production  
of contract  
or agree-  
ment.

**29.**—(1) Any lienholder may, *in writing*, at any time demand of the owner or his agent the production, for inspection, of the contract or agreement with the contractor for or in respect of which the work, service or material is or is to be performed or furnished or placed, if such contract or agreement is in writing or if not in writing, the terms of



such contract or agreement and the state of the accounts between the owner and the contractor, and if such owner or his agent does not at the time of such demand, or within a reasonable time thereafter, produce the said contract or agreement if in writing or, if not in writing, does not inform the person making such demand of the terms of such contract or agreement and the amount due and unpaid upon such contract or agreement or if he knowingly falsely states the terms of the contract or agreement or the amount due or unpaid thereon and if the person claiming the lien sustains loss by reason of such refusal or neglect or false statement, the owner shall be liable to him for the amount of such loss  in an action therefor or in any action for the enforcement of a lien under this Act and subsection 3 of section 36 shall apply. 

(2) Any lienholder may *in writing* at any time demand of a mortgagee or unpaid vendor or his agent the terms of any mortgage on the land or of any agreement for the purchase of the said lands in respect of which the work, service or material is or is to be performed, furnished or placed and a statement showing the amount advanced on the said mortgage or the amount owing on the said agreement as the case may be, and if such mortgagee or vendor or his agent fails to inform said lienholder at the time of such demand or within a reasonable time thereafter of the terms of the said mortgage or agreement and the amount advanced or owing thereon or if he knowingly falsely states the terms of the said mortgage or agreement and the amount owing thereon and such lienholder sustains loss by such refusal or neglect or mis-statement, the mortgagee or vendor shall be liable to him for the amount of such loss  in an action therefor or in any action for the enforcement of a lien under this Act, and subsection 3 of section 36 shall apply. 

Statement  
of mort-  
gagee or  
unpaid  
vendor.



(3) The Judge or officer having jurisdiction to try an action to realize a lien may, on a summary application at any time before or after any action is commenced for the enforcement of such lien, make an order requiring the owner or his agent or the mortgagee or his agent or unpaid Vendor or his agent as the case may be to produce and allow any lienholder to inspect any such contract or agreement or mortgage or agreement for sale upon such terms as to costs as he may deem just. *New.*

Production  
of contract  
or agree-  
ment.

#### ACTION TO REALIZE CLAIM.

**30.**—(1) (a) A lien shall be enforced in the Supreme Court in an action to be commenced by filing in the proper office a statement of claim, verified by affidavit, Form 5, which affidavit may be made by any of the persons named in subsection 2 of section 17. *New.*

Mode of  
realizing  
lien.

 (b) After the commencement of any action under this Act any lienholder or other person interested may move before the judge or officer having jurisdiction, to speed the trial of such action. *New.* 

Service (2) The statement of claim shall be served within one month after it is filed, but a Judge or officer having jurisdiction to try the action may extend the time for service thereof, and the time for delivering the statement of defence shall be the same as for entering an appearance in an action in the Supreme Court. R.S.O. 1914, c. 140, s. 31 (3). Amended.

Parties (3) It shall not be necessary to make any lienholders parties defendant to the action, but all lienholders served with the notice of trial shall for all purposes be deemed parties to the action. R.S.O. 1914, c. 140, s. 31 (4).

Lienholders joining in action **31.**—Any number of lienholders claiming liens on the same land may join in an action and an action brought by a lienholder shall be deemed to be brought on behalf of himself and all other lienholders. R.S.O. 1914, c. 140, s. 32. Amended.

Who may try action to enforce lien. **32.**—(1) The action shall be tried in the County of York before the Master-in-Ordinary, or the Assistant Master-in-Ordinary, and outside the County of York before a Judge of the County or District Court of the county or district in which the land is situate. 1916, c. 30, s. 1.

When action may be tried in Supreme Court. (2) Notwithstanding the provisions of subsection 1 upon the application of any party to an action, made according to the practice of the Supreme Court, *and upon notice* the Court may direct that the action be tried before a Judge of the Supreme Court at the regular sittings of the High Court Division for the trial of actions in the county or district in which the land is situate. *New.*

Powers of certain officers. **33.**—(1) The Master-in-Ordinary, Assistant Master-in-Ordinary and the County or District Judge, in addition to their ordinary powers shall have all the jurisdiction, powers and authority of the Supreme Court to try and completely dispose of the action and questions arising therein. 1916, c. 30, s. 2.

(2) Where an owner enters into an entire contract for the supply of material to be used in several buildings the person supplying such material may ask to have his lien follow the form of the contract and that it be for an entire sum upon all the buildings, but in case the owner has sold one or more of such buildings, the Judge or officer shall have jurisdiction equitably to apportion against the respective buildings the amount included in the claim for lien under the entire contract. *New.*

Where contract covers several buildings.

**34.** Where more actions than one are brought to realize liens in respect of the same land a Judge or officer having jurisdiction to try such actions may, on the application of any party to any one of the actions, or on the application of any other person interested, consolidate all such actions into one action, and may give the conduct of the consolidated action to any plaintiff as he may see fit. R.S.O. 1914, c. 140, s. 35. Amended.

Consolidation of actions.

**35.** Any lienholder entitled to the benefit of an action may apply for the carriage of the proceedings, and the Judge or officer may make an order giving such lienholder the carriage of the proceedings. R.S.O. 1914, c. 140, s. 36.

Transferring carriage of proceedings.

**36.**—(1) After the delivery of the statement of defence where the plaintiff's claim is disputed, or after the time for delivery of defence in all other cases and except where the trial is to take place before a Judge of the Supreme Court under subsection 2 of section 32, either party may apply *ex parte* to a Judge or officer who has jurisdiction to try the action to fix a day for the trial thereof, and the Judge or officer shall appoint the time and place of trial. R.S.O. 1914, c. 140, s. 37 (1); 1914, c. 21, s. 30 (1). Amended.

Appointing day for trial.

(2) The party obtaining an appointment for the trial shall, at least *ten* clear days before the day appointed, serve notice of trial, Form 6, upon the solicitors for the defendants who appear by solicitors and upon defendants who appear in person, and on all lienholders who have registered their claims as required by this Act or of whose claims he has notice, and on all other persons having any charge, incumbrance or claim on the land subsequent in priority to the lien, who are not parties, and such service shall be personal unless otherwise directed by the Judge or officer who may direct in what manner the notice of trial may be served.

Notice of trial and service of.

- (a) Where any person interested in the land has been served with statement of claim and makes default in delivering statement of defence, he shall nevertheless be served with

notice of trial and shall be entitled to defend on such terms as to costs and otherwise as the Judge or officer trying the action may deem just. R.S.O. 1914, c. 140, s. 37 (2). Amended.

Trial.

(3) The Judge or officer shall try the action and all questions which arise therein or which are necessary to be tried in order to completely dispose of the action and to adjust the rights and liabilities of the persons appearing before him or upon whom the notice of trial has been served, and shall take all accounts, make all inquiries, give all directions and do all other things necessary to finally dispose of the action and of all matters, questions and accounts arising therein or at the trial, and to adjust the rights and liabilities of and give all necessary relief to all parties to the action and all persons who have been served with the notice of trial and shall embody the results in a judgment, Form 7, which judgment may direct payment forthwith by the person or persons primarily liable to pay the amount of the claims and costs as ascertained by the judgment and execution may be issued therefor forthwith. R.S.O. 1914, c. 140, s. 37 (3). Amended.

(a) The form of the judgment may be varied by the Judge or officer in order to meet the circumstances of the case so as to afford to any party to the proceedings any right or remedy in the judgment to which he may be entitled. New.

Sale

(4) The Judge or officer may order that the estate or interest charged with the lien may be sold and may direct the sale to take place at any time after judgment, allowing, however, a reasonable time for advertising such sale. R.S.O. 1914, c. 140, s. 37 (4). Amended.

Letting in  
lienholders  
who have  
not proved  
their claims  
at trial.

(5) A lienholder who has not proved his claim at the trial, on application to the Judge or officer before whom the action was tried, may be let in to prove his claim on such terms as to costs and otherwise as may be deemed just at any time before the amount realized in the action for the satisfaction of liens has been distributed, and where such a claim is allowed the judgment shall be amended so as to include such claim. R.S.O. 1914, c. 140, s. 37 (6).

Right of  
lienholders  
to represen-  
tation.

(6) Every lienholder for an amount not exceeding \$100 may be represented by an agent who is not a solicitor. R.S.O. 1914, c. 140, s. 37 (7). Amended.



**37.**—(1) Where a sale is had, the moneys arising there-<sup>Report where sale is had,</sup> from shall be paid into court to the credit of the action and the Judge or officer shall make a report on the sale and therein direct to whom the moneys in court shall be paid and may add to the claim of the person conducting the action his fees and actual disbursements incurred in connection with the sale, and where sufficient to satisfy the judgment and costs is not realized from the sale he shall certify the amount of the deficiency and the names of the persons who are entitled to recover the same, showing the amount which each is entitled to recover and the persons adjudged to pay the same, giving credit for payments made, if any, under subsection 3 of section 36, and the persons so entitled may enforce payment of the amounts so found to be due by execution or otherwise. R.S.O. 1914, c. 140, s. 38; 1914, c. 21, s. 30 (2). Amended.

(2) The Judge or officer may make all necessary orders<sup>Completion of sale,— Judge's order as to.</sup> for the completion of the sale and for vesting the property in the purchaser. New.

(3) Where a claimant fails to establish a valid lien he<sup>Where lien not established.</sup> may nevertheless recover a personal judgment against any party to the action for such sum as may appear to be due to him and which he might recover in an action against such party. R.S.O. 1914, c. 140, s. 49.

**38.** Where property subject to a lien is sold in an action<sup>Right of lienholders whose claims are not payable to share in proceeds.</sup> to enforce a lien, every lienholder shall be entitled to share in the proceeds of the sale in respect of the amount then owing to him, although the same or part thereof was not payable at the time of the commencement of the action or is not then presently payable. R.S.O. 1914, c. 140, s. 39.

#### NEW TRIAL AND APPEAL.

 **39.**—(1) Where the aggregate amount of the claims of<sup>Where judgment of court of first instance to be final.</sup> the plaintiff and all other persons claiming liens is not more than \$100, the judgment shall be final and without appeal, but the Judge or officer who tried the action may, upon application within fourteen days after judgment is pronounced, grant a new trial. R.S.O. 1914, c. 140, s. 40 (1). 

(2) In all other cases an appeal shall lie and may be had<sup>Appeal in other cases.</sup> in like manner and to the same extent as from the decision of a Judge trying an action in the Supreme Court without a jury, and the costs of the appeal shall not be governed by section 41 or section 42, but may be awarded, having regard to costs recoverable under these sections and to the amount involved in the appeal. R.S.O. 1914, c. 140, s. 40 (3). Amended.

## FEES AND COSTS.

Limit of  
fees in  
money or  
stamps.

**40.** No fees in stamps or money shall be payable to any Judge or officer in any action brought to realize a lien under this Act, nor on any filing, order, record or judgment or other proceeding in such action excepting that every person other than a wage earner shall on filing his statement of claim where he is plaintiff, or on filing his claim where he is not a plaintiff, pay in stamps \$1 on every \$100 or fraction of \$100 of the amount of his claim up to \$1,000, and \$1 on every \$1,000 or fraction of \$1,000 of the amount of his claim over \$1,000. 1916, c. 30, s. 3.

Limit of  
costs to  
plaintiff.

**41.** The costs of the action, exclusive of actual disbursements awarded to the plaintiffs and successful lienholders, shall not exceed in the aggregate twenty-five per cent. of the total amount found to have been actually due on the liens at the time of the registration thereof, and shall be apportioned and borne in such proportion as the Judge or officer who tries the action may direct, but in making such apportionment he shall have regard to the actual services rendered by or on behalf of the parties respectively. R.S.O. 1914, c. 140, s. 42. Amended.

Limit of  
costs to  
be awarded  
against  
plaintiffs.

**42.** Where costs are awarded against the plaintiff or other persons claiming liens they shall not exceed twenty-five per cent. of the claim of the plaintiff and the other claimants, besides actual disbursements, and shall be apportioned and borne as the Judge or officer may direct. R.S.O. 1914, c. 140, s. 43.

Costs where  
least expen-  
sive course  
not taken.

**43.** Where the least expensive course is not taken by a plaintiff, the costs allowed to him shall in no case exceed what would have been incurred if the least expensive course had been taken. R.S.O. 1914, c. 140, s. 44.

Costs of  
drawing and  
registering  
and vacating  
registration  
of lien.

**44.** Where a lien is discharged or vacated under section 26, or where judgment is given in favour of or against a claim for a lien, in addition to the costs of the action, the Judge or officer may allow a reasonable amount for the costs of drawing and registering the claim for lien or of vacating the registration thereof, but this shall not apply where the claimant fails to establish a valid lien. R.S.O. 1914, c. 140, s. 45. Amended.

Costs not  
otherwise  
provided for.


**45.** Except as otherwise herein provided, all costs of and incidental to all applications and orders shall be in the discretion of the Judge or officer. R.S.O. 1914, c. 140 s. 46. Amended.


## PAYMENTS OUT OF COURT.

**46.**—(1) Where money has been paid into Court and the time for the payment out has arrived, the Judge or officer shall forward a certified copy of his judgment and of the report on sale, if any, to the Accountant of the Supreme Court, whereupon the cheques shall be delivered by the Accountant to the persons entitled, or their solicitors, in accordance with the usual practice of the Accountant's office. <sup>Payment of money out of court.</sup> R.S.O. 1914, c. 140, s. 47 (1); 1914, c. 21, s. 31 (2). Amended.

(2) No fees or stamps shall be payable on any cheques <sup>Fees.</sup> or on proceedings to pay money into court or to obtain money out of court, in respect of a claim for lien, but sufficient postage stamps to prepay a return registered letter shall be enclosed with every requisition for cheques. R.S.O. 1914, c. 140, s. 47 (2).

## RULES OF PROCEDURE.

 **47.**—(1) The object of this Act being to enforce liens at the least expense, the procedure shall be as far as possible of a summary character, having regard to the amount and nature of the liens in question. <sup>Rules of procedure.</sup>

(2) No interlocutory proceedings shall be permitted except such as are provided by this Act, without the consent of the Judge or officer having jurisdiction, and then only upon proper proof that such proceedings are necessary. *New.* 

## LIENS ON CHATELS.

**48.**—(1) Every mechanic or other person who has bestowed money or skill and materials upon any chattel or thing in the alteration or improvement of its properties, or for the purpose of imparting an additional value to it so as thereby to be entitled to a lien upon such chattel or thing for the amount or value of the money or skill and materials bestowed shall, while such lien exists but not afterwards, in case the amount to which he is entitled remains unpaid for three months after the same ought to have been paid, have the right in addition to any other remedy to which he may be entitled to sell by auction the chattel or thing, on giving one week's notice by advertisement in a newspaper published in the municipality in which the work was done, <sup>Right of mechanics entitled to lien on a chattel to sell chattel.</sup>

or in case there is no newspaper published in such municipality then in a newspaper published nearest thereto, setting forth the name of the person indebted, the amount of the debt, a description of the chattel or thing to be sold, the time and place of sale, and the name of the auctioneer, and leaving a like notice in writing at the last known place of residence if any, of the owner, if he is a resident of such municipality.

Application  
of proceeds  
of sale.

(2) Such mechanic or other person shall apply the proceeds of the sale in payment of the amount due to him and the costs of advertising and sale and shall, upon application pay over any surplus to the person entitled thereto. R.S.O. 1914, c. 140, s. 50.

Rev. Stat.  
c. 140; 1914  
c. 21, ss.  
30 and 31;  
1916 c. 30;  
1918 c. 29,  
repealed.

**49.** *The Mechanics' and Wage Earners' Lien Act*, being Chapter 140 of the Revised Statutes of Ontario, 1914; sections 30 and 31 of *The Statute Law Amendment Act, 1914*; *An Act to amend The Mechanics' and Wage Earners' Lien Act, 1916*; and *An Act to amend The Mechanics' and Wage Earners' Lien Act, 1918*, are hereby repealed.

Commence-  
ment of Act.

**50.** This Act shall come into force on the *first day of September, 1923*.



## SCHEDULE "A."

## FORM 1.

(Sections 17-22).

## CLAIM FOR LIEN.

A.B. (name of claimant) of (here state residence of claimant), (if claimant is a personal representative or assignee set out the facts) under *The Mechanics' and Wage Earners' Lien Act* claims a lien upon the estate of (here state the name and residence of owner of the land upon which the lien is claimed), in the undermentioned land in respect of the following work (or service or materials) that is to say (here give a short description of the nature of the work done or to be done, or materials furnished or to be furnished, and for which the lien is claimed) which work (or service) was (or is to be) done (or materials were or are to be furnished) for (here state the name and residence of the person upon whose request the work is done or to be done, or the materials furnished or to be furnished) on or before the day of 19 .

The amount claimed as due (or to become due) is \$ .

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Where credit has been given, insert: The work was done (or materials were furnished) on credit, and the period of credit agreed to expired (or will expire) on the day of 19 .

Dated at this day of 19 .

(Signature of claimant)

R.S.O. 1914, c. 140, Form 1.

## FORM 2.

(Sections 17-22)

## CLAIM FOR LIEN FOR WAGES.

A.B. (name of claimant) of (here state residence of claimant), (if claimant is a personal representative or assignee set out the facts) under *The Mechanics' and Wage Earners' Lien Act* claims a lien upon the estate of (here state the name and residence of owner of the land upon which the lien is claimed), in the undermentioned land in respect of work performed (or to be performed) thereon while in the employment of (here state the name and residence of the person upon whose request the work was or is to be performed) on or before the day of 19 .

The amount claimed as due (or to become due) is \$ .

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Dated at this day of 19 .

(Signature of claimant)

R.S.O. 1914, c. 140, Form 2.

## FORM 3.

(Sections 17-22)

## CLAIM FOR LIEN FOR WAGES BY SEVERAL CLAIMANTS.

The following persons claim a lien under *The Mechanics' and Wage Earners' Lien Act* upon the estate of (here state the name and residence of the owner of land upon which the lien is claimed) in the undermentioned

land in respect of wages for labour performed (or to be performed) thereon while in the employment of (*here state name and residence or names and residences of employers of the several persons claiming the lien*).

A.B. of (residence)	\$		for wages.
C.D. of	\$		" "
E.F. of	\$		" "

The following is the description of the land to be charged (*here set out a concise description of the land to be charged sufficient for the purpose of registration*).

[illegible]

R.S.O. 1914, c. 140, Form 3,

## FORM 4.

(Sections 17-22)

## AFFIDAVIT VERIFYING CLAIM.

I, A.B., named in the above (or annexed) claim, make oath that the said claim is true.

Or, We, A.B., and C.D., named in the above (or annexed) claim, make oath, and each for himself makes oath that the said claim, so far as relates to him, is true.

(Where affidavit is made by agent or assignee a clause must be added to the following effect:—I have full knowledge of the facts set forth in the above (or annexed) claim).

Sworn before me at \_\_\_\_\_, in the  
County of \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_ 19\_\_\_\_.

Or, The said A.B. and C.D. were severally sworn before me at \_\_\_\_\_, in the County of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Or, The said A.B. was sworn before me  
at \_\_\_\_\_, in the County of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

R.S.O. 1914, c. 140, Form 4.

## FORM 5.

(Section 30).

AFFIDAVIT VERIFYING CLAIM ON COMMENCING AN ACTION.

(Style of Court and Cause)

I, \_\_\_\_\_, make oath and say, that I have read (*or heard* read) the foregoing statement of claim, and that the facts therein set forth are, to the best of my knowledge and belief, true, and the amount claimed to be due to me in respect of my lien is the just and true amount due and owing to me after giving credit for all the sums of money or goods or merchandise to which (*naming the debtor*) is entitled to credit as against me.

Sworn before me, etc.

R.S.O. 1914, c. 140, Form 5.

NOTICE OF TRIAL.

Take notice that this action will be tried at the \_\_\_\_\_  
in the \_\_\_\_\_ of \_\_\_\_\_, in the County (or District) \_\_\_\_\_  
of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ by \_\_\_\_\_  
\_\_\_\_\_ and at such time and place the \_\_\_\_\_ will  
proceed to try the action and all questions *as provided by subsection 3 of*  
*section 36.*

This is a Mechanics' Lien action brought by the above named plaintiffs against the above named defendants to enforce a Mechanics' Lien against the following lands:— (*set out description of lands*).

Dated 19 .

R.S.O. 1914, c. 140, Form 6.

## FORM 7.

JUDGMENT.

Monday, the day of 19 .

William Spencer, Plaintiff,

and

*Thomas Burns*, Defendant.

64

1. This court doth declare that the plaintiff and the several persons mentioned in the first Schedule hereto are respectively entitled to a lien under *The Mechanics' and Wage Earners' Lien Act* upon the land described in the second Schedule hereto for the amounts set opposite their respective names in the 2nd, 3rd and 4th columns of the said first Schedule, and the persons primarily liable for the said claims respectively are set forth in the 5th column of the said Schedule.

2. (And this court doth further declare that the several persons mentioned in Schedule 3 hereto are also entitled to some lien charge or incumbrance upon the said land for the amounts set opposite their respective names in the 4th column of the said Schedule 3, *according to the facts*).

3. And this court doth further order and adjudge that upon the defendant (A.B., the owner) paying into court to the credit of this action the sum of *(gross amount of liens in Schedules 1 and 3 for which owner is liable)* on or before the day of \_\_\_\_\_ next, that the said liens in the said first Schedule mentioned be and the same are hereby discharged, (and the several persons in the said third Schedule are to release and discharge their said claims and assign and convey the said premises to the defendant (*owner*) and deliver up all documents on oath to the said defendant (*owner*) or to whom he may appoint) and the said money so paid into court is to be paid out in payment of the claims of the said lienholders (*or and incumbrances*).

4. In case the said defendant (*owner*) shall make default in payment of the said money into court this court doth order and adjudge that the said land be sold with the approbation of the Master of this court at \_\_\_\_\_ and that the purchase money be paid into court to the credit of this action, and that all proper parties do join in the conveyances as the said Master shall direct.

5. And this court doth order and adjudge that the said purchase money be applied in or towards payment of the several claims in the said first (and third) Schedule (S) mentioned as the said Master shall direct, with subsequent interest and subsequent costs to be computed and taxed by the said Master.

6. And this court doth further order and adjudge that in case the said purchase money shall be insufficient to pay in full the claims of the several persons mentioned in the said first Schedule, the persons primarily liable for such claim as shown in the first Schedule do pay to the persons to whom they are respectively primarily liable the amount remaining due to such persons forthwith after the same shall have been ascertained by the said Master.

7. (And this court doth declare that \_\_\_\_\_ have not proved any lien under *The Mechanics' and Wage Earners' Lien Act* and that they are not entitled to any such lien, and this court doth order and adjudge that the claims of liens registered by them against the land mentioned in the second Schedule be and the same are hereby discharged, *according to the fact*).

R.S.O. 1914, c. 140, Form 7.

## SCHEDULE 1

Names of lien-holders entitled to mechanics' liens.	Amount of debt and interest (if any).	Costs	Total	Names of primary debtors.

(Signature of officer).

R.S.O. 1914, c. 140, Schedule 1.

## SCHEDULE 2.

The lands in question in this matter are

(Set out a description sufficient for registration purposes).

(Signature of officer).

R.S.O. 1914, c. 140, Schedule 2

## SCHEDULE 3.

Names of persons entitled to incumbrances other than mechanics' liens.	Amount of debt and interest (if any)	Costs	Total

(Signature of Officer.)

R.S.O. 1914, c. 140, Schedule 3.





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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting Liens of Mechanics,  
Wage Earners and Others.

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1st Reading,	25th January, 1923.
2nd Reading,	1st February, 1923.
3rd Reading,	1923.

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*(Reprinted as amended by Committee of  
the Whole House.)*

MR. RANNEY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Ontario Temperance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Ontario Temperance Amendment Act, 1923*. Short title.

**2.**—(1) Section 20 of *The Ontario Temperance Act* is 1916, c. 50,  
amended by adding thereto the following clause: s. 20,  
amended.

- (e) That the premises are in the immediate vicinity of a place of public worship, hospital or school, or that the quiet of the place in which such premises are situate will be disturbed if a license is granted.

(2) This section shall have effect as from the 27th Retro-  
active effect  
of section.  
day of April, 1916.

**3.**—(1) Section 5 of *The Ontario Temperance Amendment Act, 1919*, is amended by adding thereto the following sub-1919, c. 60,  
s. 5,  
amended  
section:

- (4) The chief or head office of the Board shall not, nor shall any sales agency or warehouse for the receipt or distribution of liquor be established or maintained by the Board upon any premises in the immediate vicinity of a place of public worship, hospital or school, or where the quiet of the place in which such premises are situate would be thereby disturbed. Restrictions  
as to loca-  
tion of head  
office of  
Board.

(2) This section shall have effect as from the 24th Retroactive  
effect of  
section.  
day of April, 1919.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Ontario Temperance  
Act.

1st Reading,	25th January, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DEWART.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Sale of Securities.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

### SHORT TITLE.

**1.** This Act may be cited as *The Sale of Securities Act*, Short title, 1923.

### INTERPRETATION.

**2.—(1)** In this Act,

Interpreta-  
tion.

- (a) "Broker" shall mean any person other than "Broker." a salesman who engages, either for all or part of his time, directly or through an agent, in the business of offering for sale, selling or otherwise dealing in securities issued by another person, or of underwriting any issue of securities or of purchasing or otherwise acquiring such securities from another person with the purpose of reselling them or offering them for sale to the public for a commission or at a profit.
- (b) "Commissioner" shall mean the Commis- "Commis-  
sioner of Securities. sioner."
- (c) "Director" shall include a provisional di- "Director." rector or a proposed director of a company and, in the case of an issuer other than a company, shall include a trustee, governor, member of an executive committee, and any other person acting in a capacity similar to that of a director.
- (d) "Fraud." "fraudulent" and "fraudulent act" "Fraud"  
shall include, "fraudulent  
act."

- (i) Any fictitious or pretended purchase or sale of securities;
- (ii) Any promise, representation or prediction as to the future not made in good faith;
- (iii) The gaining or attempt to gain directly or indirectly through the sale of any securities of a commission, fee or profit so large that the solvency of the issuer of the securities is thereby endangered, and any scheme, device or artifice to obtain such a commission, fee or profit;
- (iv) Generally any course of conduct or business which is calculated to deceive the public or the purchaser of any security as to the nature of any transaction or as to the value of such security.

"Issuer."

- (e) "Issuer" shall include every person who issues, or proposes to issue, any security sold or to be sold or offered or to be offered for sale to the public in Ontario;

"Person."

- (f) "Person" shall include a company, corporation, partnership, association, syndicate, trust and organization, incorporated or unincorporated, except a municipal or school corporation;

"Sale."

- (g) "Sale" shall include an agreement for sale;

"Salesman."

- (h) "Salesman" shall include every person employed, appointed or authorized by a broker to sell securities;

"Security."

- (i) "Security" shall include any share, stock, bond, debenture, debenture stock, investment contract, certificate or other evidence of an interest in the property or undertaking of the issuer;

"Underwriter."

- (k) "Underwriter" shall include a sub-underwriter and any other person who acts or aids in the sale of securities to the public on behalf of the issuer, underwriter or sub-underwriter.

(2) If an issuer or any officer, agent or broker or any person employed or authorized by the issuer for that purpose, directly or indirectly invites or solicits either orally or by a prospectus, advertisement, circular or other means, any other person to apply or subscribe for or to buy or otherwise acquire any securities of the issuer, or if any underwriter or broker or any person who has subscribed for or to whom has been assigned or allotted a substantial portion of any issue of securities invites or solicits, within a period of one year from the date of issue of the securities, any person to apply or subscribe for or to buy or otherwise acquire any of such securities, the securities shall for the purposes of this Act be deemed to be offered to the public. *See* R.S.O. c. 178, s. 99, (3).

Definition  
of "Offer  
to the  
public."

(3) Parts II and III of this Act shall not apply,

- (a) to the issue and sale of securities in which trustees are authorized to invest trust funds under the laws of Ontario, nor
- (b) to the subsequent sale of any security as to which a statement and prospectus has theretofore been filed and issued as required by this Act.

## PART I.

### COMMISSIONER OF SECURITIES.

3. The Lieutenant-Governor in Council may appoint an officer to be known as the Commissioner of Securities and may appoint such other officers, clerks and employees as are necessary for the administration of this Act.

Commis-  
sioner of  
Securities.

4.—(1) The Commissioner may institute and prosecute any action or proceeding for the enforcement of any provision of this Act and for the conviction of any persons guilty of fraud in connection with the issue, sale or offer for sale of any securities.

Commis-  
sioner may  
take action.

(2) The Commissioner shall not incur any liability for anything done or not done in the performance or intended or supposed performance of his duties under this Act.

Liability  
of Commis-  
sioner.

(3) No action shall be brought against the Commissioner without a fiat of the Attorney-General.

Fiat.

Communica-  
tions made  
in good  
faith.

(4) Any person, who in good faith, communicates to the Commissioner any information respecting the issue or sale of securities, believing such information to be true, shall not incur any liability by reason of such communication.

Investiga-  
tion of  
securities.

**5.**—(1) The Commissioner may, in his discretion, investigate the issue, sale or offer for sale of any securities.

Powers of  
Commis-  
sioner.

(2) For the purpose of such investigation, the Commissioner shall have the same power to summon and enforce the attendance of witnesses, and to compel them to give evidence on oath and produce documents and things, as is vested in any court in civil cases.

Order pro-  
hibiting sale.

**6**—(1) If it appears to the Commissioner that the issue, sale or offer for sale of any securities is or may be fraudulent or that any person has committed or is about to commit a fraud in connection therewith, he may issue an order prohibiting the sale or offer for sale of such securities.

(2) The Commissioner may rescind or vary any order.

Service,

(3) A copy of the order may be served upon such persons as the Commissioner may direct.

Publication.

(4) Every order made under this section, and every order rescinding or varying any such order, shall be published forthwith in the *Ontario Gazette*, and in such newspapers or periodicals and otherwise as the Commissioner may direct.

Effect of  
order.

**7.**—(1) No person who has been served with a copy of an order made under the preceding section, or who has knowledge of the issue of such order, shall thereafter issue, sell or offer for sale any securities named in the order.

Voidance  
of sales.

(2) After the issue of the order, every sale of securities named in such order, made while such order is in force shall be voidable at the election of the purchaser.

Advertise-  
ments.

**8.** No printer, publisher, newspaper proprietor or other person shall print, publish or advertise in any newspaper, magazine or other periodical, printed or published in Ontario, or shall otherwise issue, put forth or distribute in Ontario, any advertisement, circular, letter or other document containing an offer to sell, or solicitation to purchase, or announcement of the issue of any security the sale of which has been prohibited by order of the Commissioner.

Advertising  
fraudulent  
securities.

**9.** If the Commissioner is of opinion that any securities which are being issued, sold or offered for sale within Ontario

are fraudulent, he may, in his discretion, publish by advertisement or in any other manner, information respecting such securities or warning against the purchase thereof or an invitation to any prospective purchaser to apply to the Commissioner for information in regard thereto.

**10.**—(1) Subject to subsection 2 hereof, all documents filed in the office of the Commissioner under the provisions of this Act shall be open to public inspection. Inspection of documents.

(2) The Commissioner may, in his discretion, place on a separate file, not open to public inspection, except on his special order, any document which, in his opinion, in justice to persons filing the same or concerned therein, should not be made public. Documents not open to inspection.

(3) The Commissioner shall, on application therefor and on payment of the cost of making such copies, furnish copies of all documents open to public inspection. Copies of documents.

**11.** A certificate or certified copy of any order or decision of the Commissioner, given under his hand and official seal shall be received in all courts as evidence of the facts stated in such certificate or certified copy. Certificate and certified copy.

## PART II.

### STATEMENT.

**12.**—(1) Every issuer of securities, before selling or offering for sale to the public any of such securities shall file with the Commissioner a statement, in duplicate, or in triplicate if required, signed and verified as hereinafter required and dated, setting forth. Issuer to file statement with Commissioner.

- (a) The name of the issuer and the address of the principal and head office of the issuer; Name and address.
- (b) If the issuer is an individual, his occupation, and if the issuer is not an individual particulars of the act or instrument under which the issuer is constituted; Occupation or constitution.
- (c) The location or the proposed location of the undertaking in respect of which the securities are being issued; Location of undertaking.
- (d) The names, addresses and occupations of the directors, principal officers, proposed Names and addresses of directors.

principal officers or other persons acting in similar capacities;

Nature of business.

- (e) The nature of the business or proposed business of the issuer and if the issuer is a corporation a concise statement of its powers and objects;

Capital.

- (f) The authorized capital, the issued capital, the paid up capital and the amount and particulars of all securities which are a charge on the assets and undertaking of the issuer;

Classes of securities issued.

- (g) The number and classes of securities into which the capital is divided; a description of the respective voting rights, preferences, rights to dividends, profits or capital of each class with respect to each other class;

Amount of issue and minimum subscription.

- (h) The amount of the issue and the minimum subscription on which the issuer may proceed to allotment, which shall not be less than an amount stated by the signatories to the statement to be reasonably sufficient for the purpose of the issue;

Terms of subscription.

- (i) The terms of the subscriptions agreement or application including the amount payable on application, on allotment and otherwise;

Purposes of issue.

- (j) Details of the purposes and uses to which the proceeds of the issue will be principally applied;

Organization and other expenses.

- (k) If the issuer has not been carrying on business for more than three years, the amount or the estimated amount of preliminary and organization expenses and the names and addresses of and the amounts paid or payable to any person in consideration of the organization or promotion of the undertaking of the issuer or for the sale of the securities and particulars of the services rendered by such person;

Particulars of expenses of issue and sale.

- (l) If the issuer has been carrying on business for more than three years, the names and addresses of and the amounts paid or payable



to any person inconsideration of the issue, sale or offer for sale of the securities, and particulars of the services rendered by such persons;

- (m) The amount and description of securities Securities issued for consideration other than cash. issued or proposed to be issued as fully or partly paid, for consideration other than cash, and particulars of such consideration;
- (n) The names and addresses of the vendors Vendors of property purchased. of any property purchased or acquired or proposed to be purchased or acquired, which is to be paid for wholly or partly out of the proceeds of the issue, or the purchase or acquisition of which has not been completed at the date of the statement, and details of the amount payable in cash, securities or otherwise to the vendor, and where there is more than one vendor or the issuer is a sub-purchaser, the amount so payable to each vendor: but where the vendors, or any of them, are a firm, the members of the firm shall not be treated as separate vendors:
- (o) The amount, if any, paid or payable as Amounts payable for property purchased. purchase money in cash, securities or otherwise for any property mentioned in the next preceding clause, specifying the amount, if any, paid or payable for good will and the nature of the interest of the issuer in such property, stating whether it is absolute or conditional ownership, under lease, option to purchase, or license of occupation:
- (p) The dates of and parties to every material Material contracts. contract, and a reasonable time and place at which any material contract or a copy thereof may be inspected; provided that this requirement shall not apply to a contract entered into in the ordinary course of the business carried on or intended to be carried on by the issuer, or to any contract entered into more than three years before the date of the statement:
- (q) Full particulars of the nature and extent Particulars of interest of Directors. of the interest, if any, of every director in the promotion of or in the property proposed to be acquired by the issuer, or where

the interest of such director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares or otherwise by any person either to induce him to become, or to qualify him as, a director or otherwise for services rendered by him or the firm in connection with the promotion or formation of the issuer;

- (r) In the case of a mining company the verbatim report of a registered professional mining engineer who shall have personally examined the property;

Auditors

- (s) The names and addresses of the auditors.
- (t) Such further information as the Commissioner may require or as may be prescribed by the regulations.

Copy of statement to Provincial Secretary.

- (2) The Commissioner shall transmit one copy of the statement to the Provincial Secretary and in the case of a mining company operating in Ontario, one copy to the Minister of Mines.

If issuer is not in Ontario statement may be filed by a broker.

- (3) If an issuer, not domiciled in Ontario, has failed to file the statement required by subsection 1, the statement may be filed by a broker who intends to sell or offer for sale the securities of the issuer.

Interpretation  
"Vendor."

- (4) For the purposes of this section, the word "vendor" shall include a person who has entered into a contract, absolute or conditional, for the sale or purchase, or for an option of purchase of any property to be acquired by the issuer where,

- (a) The purchase money is not fully paid at the date of the statement; or,
- (b) The purchase money is to be paid or satisfied wholly or partly out of the proceeds of the issue offered for sale; or,
- (c) The contract depends for its validity or fulfilment on the result of such issue.

(5) Where any of the property to be acquired by the issuer is to be taken on lease, this section shall apply as if the expression "vendor" included the lessor and the expression "purchase money" included the consideration for the lease, and the expression "sub-purchaser" included a sub-lessee. *See R.S.O. c. 178, s. 104: See also Imp. Act, 1908, c. 69, ss. 80, 81.*

**13.**—(1) If the issuer is a corporation, the statement shall be signed by every director, named therein, and the facts set forth in the statement shall be verified by affidavit of a responsible officer, or a person having knowledge of the facts and having a substantial interest in the corporation or its undertaking.

(2) If the issuer is a partnership, the statement shall be signed by every partner or proposed partner, and the facts set forth in the statement shall be verified by affidavit of at least one of such partners or proposed partners.

(3) If the issuer is an individual, the statement shall be signed by the issuer, and the facts set forth in the statement shall be verified by affidavit of the issuer.

(4) If the issuer is not a corporation or a partnership or an individual, the statement shall be signed and the facts set forth in the statement shall be verified by affidavits of such persons, having knowledge of the facts and having substantial interests in the undertaking, as the Commissioner may direct.

(5) If the statement is filed by a broker pursuant to sub-section 3 of section 12, the statement shall be signed by the broker, and the facts set forth therein shall be verified by affidavit of the broker, and in such other manner as the Commissioner may direct.

(6) In case of the inability of a person required by this section to sign the statement, such inability being satisfactorily accounted for to the Commissioner, the statement may be signed on his behalf by his agent specifically authorized in writing; provided that such authority verified by affidavit is attached to the statement.

(7) The Commissioner may require such additional verification of the facts set forth in the statement and such additional information as he may deem necessary or desirable.

*See R.S.O. c. 178, s. 103; See also Imp. Act, 1908, c. 69, s. 80.*

## PART III.

## PROSPECTUS.

Prospectus  
to be  
issued.

**14.**—(1) Every issuer of securities, before selling or offering for sale to the public any of such securities, shall issue a prospectus.

What to  
contain.

(2) The prospectus shall bear on its face the date of its issue and shall contain all relevant information that appears in the statement filed with the Commissioner under section 12 set out in a fair and unequivocal manner.

When broker  
to issue.

(3) If an issuer, not domiciled in Ontario, has failed to issue a prospectus, the prospectus may be issued by a broker who intends to sell or offer for sale the securities of the issuer.

Name and  
address of  
broker.

(4) Every prospectus used by a broker for the purpose of aiding in the sale of securities shall bear the name and address of such broker printed or stamped thereon in a conspicuous manner. *See* R.S.O. c. 178, s. 101.

Advertise-  
ments, etc.,  
to contain  
information  
in prospec-  
tus.

**15.**—(1) Every advertisement, circular, or other document being used or to be used for the purpose of aiding in the sale of securities offered to the public shall contain a statement that the prospectus required by statute will be furnished on request by the issuer of the advertisement, circular or other document.

Prospectus  
advertisements, etc.,  
to be filed.

(2) Two copies of every prospectus and one copy of every advertisement, circular or other document being used or to be used for the purpose of aiding in the sale of securities offered to the public shall forthwith be filed with the Commissioner, who shall transmit one copy of the prospectus to the Provincial Secretary, and in the case of a mining company operating in Ontario, an additional copy shall be filed with the Commissioner and transmitted by him to the Minister of Mines.

Delivery to  
subscribers.

**16.**—(1) A subscription for securities offered to the public shall not be binding upon the subscriber unless a copy of the prospectus is delivered to and left with the subscriber before or at the time of the subscription.

Withdrawal  
of  
subscription.

(2) A subscriber, in order to be entitled to the benefit of subsection 1, must elect to withdraw his subscription before or within fifteen days after notice that his subscription has been accepted. *See* R.S.O. c. 178, s. 101, (3-4).

**17.** Every subscription for, or purchase or other acquisition of securities shall, as against the issuer, and the signatories to the statement mentioned in section 12, be deemed to be induced by the prospectus, notwithstanding any term, proviso or condition thereof to the contrary. *See* R.S.O. c. 178, s. 104, (2). Subscription deemed to be induced by prospectus.

**18.** Any condition requiring or binding a subscriber or an applicant for securities to waive compliance with any requirement of this Part, or purporting to affect him with notice of any contract, document or matter not specifically referred to in the prospectus shall be void. *See* R.S.O. c. 178, s. 104, (8). *Imp. Act, 1908*, c. 69, s. 81 (4). Certain conditions to be void.

**19.—(1)** Every promoter and every person who signs the statement mentioned in section 12 or who has authorized the issue of the prospectus, shall be liable to pay compensation to all persons who subscribe for any securities on the faith of such prospectus for the loss or damage they may have sustained by reason of any untrue representation in the prospectus or statement, or in any report or memorandum appearing therein, or by reference incorporated therein or issued therewith, unless it is proved that, Liability for statement and prospectus.

- (a) After the issue of such prospectus and before allotment thereunder, he, on becoming aware of any untrue representation therein, withdrew his consent thereto, and gave notice of such withdrawal and of the reason therefor to the Commissioner, and such public notice thereof as the Commissioner then directed; or
- (b) With respect to every untrue representation not purporting to be made on the authority of an expert, or of a public official document or statement, that he had reasonable ground to believe, and did up to the time of the allotment of the securities, believe, that the representation was true; or
- (c) With respect to every untrue representation purporting to be a statement by or contained in what purports to be a copy of an extract from a report or valuation of an expert, that it fairly represented the statement, or was a correct and fair copy of or extract from the report or valuation, but the promoter or the person who signed the statement, or authorized the issue of

prospectus, shall be liable to pay compensation as aforesaid if it is proved that he had no reasonable ground to believe that the person making the statement, report or valuation was competent to make it; or

- (d) With respect to every untrue representation purporting to be a statement made by an official person or contained in what purports to be a copy of or extract from a public official document, that it was a correct and fair representation of the statement or copy of or extract from the document.

Who to be  
deemed a  
promoter

(2) A promoter in this section shall mean a promoter who was a party to the preparation of the statement or prospectus or of the portion thereof containing such untrue representation, but shall not include any person by reason of his acting solely in a professional capacity for persons engaged in procuring the issue of the securities. *See R.S.O. c. 178, s. 107; Imp. Act, 1908, c. 69, s. 84, (1), (5).*

Indemnity  
where name  
of person  
has been  
improperly  
inserted.

**20.** Where any prospectus contains the name of a person as a director or as having agreed to become a director, and such person has not consented to become a director, or has withdrawn his consent before the issue of the prospectus, and has not authorized or consented to the issue thereof, the directors, except any without whose knowledge or consent the prospectus was issued, and any other person who authorized the issue of the prospectus, shall be liable to indemnify the person named as director, or as having agreed to become a director, against all damages, costs, charges and expenses to which he may be made liable by reason of his name having been inserted in the prospectus, or in defending himself against any action or legal proceedings brought against him in respect thereof.

Contribu-  
tion from  
co-director.

**21.** Every person who, by reason of his being a director or named as a director, or as having agreed to become a director, or of his having authorized the issue of the prospectus, has become liable to make any payment under the provisions of this Act shall be entitled to recover contribution, as in cases of contract, from any other person who, if sued separately, would have been liable to make the same payment unless the person who has become so liable was, and that other person was not, guilty of a fraudulent misrepresentation.

## PART IV.

## BROKERS AND SALESMEN.

**22.**—(1) No broker or salesman, except a salesman resident in Ontario and acting only in the name and on behalf of a registered broker, shall carry on business in Ontario or sell or offer for sale any securities in Ontario unless he has been registered as a broker or salesman in the office of the Commissioner pursuant to the provisions of this section. Brokers and Salesmen to be registered.

(2) Every applicant for registration shall file in the office of the Commissioner an application in writing in such form as the Commissioner may prescribe, duly verified by oath, giving such particulars in reference to the applicant, his character, reputation, previous employment and the nature of his business as may be required by the Commissioner. Application for registration.

(3) The names and addresses of all persons approved for registration as brokers or salesmen shall be entered in a register which shall be kept in the office of the Commissioner and shall be open to public inspection. Names and addresses.

(4) Before registration of an applicant not domiciled in Ontario, the Commissioner shall require the applicant to furnish security in a form satisfactory to the Commissioner in the sum of \$10,000 that he will faithfully comply with the provisions of this Act. Security.

(5) Registration may be refused, or a registration granted under this section may be cancelled by the Commissioner, if, after due investigation and a hearing, he determines that the broker or salesman so registered Refusal or cancellation of registration.

- (a) has violated any provision of this Act or of the regulations made hereunder; or
- (b) has made a material mis-statement in the application for such registration; or,
- (c) has been guilty of a fraudulent act; or
- (d) has demonstrated his incompetency or un-trustworthiness to transact the business of broker or salesman.

(6) Registration may be granted to a partnership or corporation carrying on the business of broker or salesman upon due application of the partnership or corporation giving the particulars in reference to the members of the partnership Partnership and corporation.

or the officers and directors of the corporation which are required in respect of the application of an individual.

Cancellation  
of  
registration.

(7) If a member of a duly registered partnership or an officer or director of a duly registered corporation has been guilty of any act or omission which, under the provisions of subsection 5 hereof would render the registration of an individual broker or salesman liable to cancellation, the registration of the partnership or corporation shall be cancelled by the Commissioner, and shall not be renewed while such person remains a member of the partnership or an officer, director or employee of the corporation.

(8) A broker or salesman who is not registered as required by this section or whose registration has been cancelled and not renewed shall not in Ontario sell or offer for sale any security.

Sale of  
securities  
without  
registration.

(9) Any broker or salesman who, within Ontario, sells or offers for sale any security without being registered as required by this section, or after such registration has been cancelled and not renewed, shall be guilty of an offence.

## PART V.

### GENERAL PROVISIONS.

Penalties.

**23.**—(1) Every person who contravenes any provision of this Act shall be guilty of an offence, and shall incur a penalty of not less than \$100 and not more than \$1,000, and for a second or any subsequent offence shall incur a penalty of not less than \$200, and not more than \$2,000, and in default of payment of any penalty so imposed shall be imprisoned for a period not exceeding six months.

Where  
intent to  
defraud.

(2) Every person who, with intent to defraud, contravenes any provision of this Act shall incur a penalty of not less than \$1,000 and not more than \$10,000, and may, in the discretion of the convicting magistrate be imprisoned for a period not exceeding two years, and for a second or any subsequent offence shall incur a penalty of not less than \$2,000 and not more than \$25,000, and shall be imprisoned for a period not exceeding two years, and in default of payment of any pecuniary penalty shall be imprisoned for a period not exceeding six months in addition to any other term of imprisonment which may be imposed.

Recovery  
of penalties.

(3) Any penalty imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*.



**24.** No prosecution or conviction under this Act shall be a bar to any proceeding for the recovery of penalties which may be imposed under any other Act, or to any action for the recovery of money for damages which may be brought by any person injured or defrauded by the sale of securities in violation of this Act, but all such penalties may be recoverable and all such actions may be brought as if this Act had not been passed. Prosecutions not to be a bar to other proceedings

**25.** The depositing of any document in the office of the Commissioner shall be *prima facie* evidence of the knowledge on the part of the person signing such document of the falsity of any untrue statement or of any untrue representation therein contained. Depositing of documents prima facie evidence of contents.

**26.** The Lieutenant-Governor in Council may make regulations for carrying out the provisions of this Act and may fix the fees payable on the filing of the statement required by section 12 and for the registration of brokers and salesmen. Regulations.

**27.** This Act shall come into force on the 1st day of July, 1923. Commencement of Act.

No. 66.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Sale of Securities.

1st Reading,	25th January, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Sale of Securities

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

### SHORT TITLE.

**1.** This Act may be cited as *The Sale of Securities Act*, Short title 1923.

### INTERPRETATION.

**2.—(1)** In this Act,

Interpreta  
tion.

- (a) "Broker" shall mean any person other than "Broker." a salesman who engages, either for all or part of his time, directly or through an agent, in the business of offering for sale, selling or otherwise dealing in securities issued by another person, or of underwriting any issue of securities or of purchasing or otherwise acquiring such securities from another person with the purpose of re-selling them or offering them for sale to the public for a commission or at a profit.
- (b) "Commissioner" shall mean the Commis- "Commis- sioner of Securities." sioner of Securities.
- (c) "Director" shall include a provisional di- "Director." rector or a proposed director of a company and, in the case of an issuer other than a company, shall include a trustee, governor, member of an executive committee, and any other person acting in a capacity similar to that of a director.
- (d) "Fraud," "fraudulent" and "fraudulent act" "Fraud" "fraudulent act." shall include,

- (i) Any fictitious or pretended purchase or sale of securities; (*including what is ordinarily called a wash sale*);
- (ii) Any promise, representation or prediction as to the future not made in good faith;
- (iii) The gaining or attempt to gain directly or indirectly through the sale of any securities of a commission, fee or profit so large that the solvency of the issuer of the securities is thereby endangered, and any scheme, device or artifice to obtain such a commission, fee or profit;
- (iv) Generally any course of conduct or business which is calculated or put forward with intent to deceive the public or the purchaser of any security as to the nature of any transaction or as to the value of such security.

"Issuer."

- (e) "Issuer" shall include every person who issues, or *proposes to issue*, any security sold or to be sold or offered or to be offered for sale to the public in Ontario;

"Person."

- (f) "Person" shall, *subject to the regulations*, include a company, corporation, partnership, association, syndicate, trust and organization, incorporated or unincorporated, except a municipal or school corporation;

"Regulations"

- (ff) "*Regulations*" shall mean regulations made under the authority of this Act.

"Sale."

- (g) "Sale" shall include an agreement for sale;

"Salesman."

- (h) "Salesman" shall include every person employed, appointed or authorized by a broker to sell securities;

"Security."

- (i) "Security" shall include any share, stock, bond, debenture, debenture stock, investment contract, certificate or other evidence of an interest in the property or undertaking of the issuer;

"Underwriter."

- (k) "Underwriter" shall include a sub-underwriter and any other person who acts in the

sale of securities to the public on behalf of the issuer, underwriter or sub-underwriter.

(2) If an issuer or any officer, agent or broker or any person employed or authorized by the issuer for that purpose, directly or indirectly invites or solicits either orally or by a prospectus, advertisement, circular or other means, any other person to apply or subscribe for or to buy or otherwise acquire any securities of the issuer, or if any underwriter, broker or other person who has subscribed for or to whom has been allotted, issued or assigned, a substantial portion of any issue of securities invites or solicits any person to apply or subscribe for or to buy or otherwise acquire any of such securities, the securities shall for the purposes of this Act be deemed to be offered to the public by the issuer. See R.S.O. c. 178, s. 99, (3). Definition of "Offer to the public."

- (3) Parts II and III of this Act shall not apply, Application of Parts II. and III.
- (a) to the issue and sale of securities in which trustees are authorized to invest trust funds under the laws of Ontario, nor
  - (b) to a security offered to the public in Ontario before the commencement of this Act.
  - (c) *to a mining partnership formed under and recorded pursuant to the provisions of "The Mining Act of Ontario" having not more than ten partnership shares.*

## PART I.

### COMMISSIONER OF SECURITIES.

3. The Lieutenant-Governor in Council may appoint an officer to be known as the Commissioner of Securities and may appoint such other officers, clerks and employees as are necessary for the administration of this Act. Commissioner of Securities.

4.—(1) The Commissioner may institute and prosecute any action or proceeding for the enforcement of any provision of this Act and for the conviction of any persons guilty of fraud in connection with the issue, sale or offer for sale of any securities. Commissioner may take action.

(2) The Commissioner shall not incur any liability for anything done or not done in the performance or intended or supposed performance of his duties under this Act. Liability of Commissioner.

(3) No action shall be brought against the Commissioner without a fiat of the Attorney-General. Fiat.

Communica-  
tions made  
in good  
faith.

(4) Any person, who in good faith, communicates to the Commissioner any information respecting the issue or sale of securities, believing such information to be true, shall not incur any liability by reason of such communication.

Investiga-  
tion of  
securities.

5.—(1) The Commissioner may, in his discretion, investigate the issue, sale or offer for sale of any securities.

Powers of  
Commis-  
sioner.

(2) For the purpose of such investigation, the Commissioner shall have the same power to summon and enforce the attendance of witnesses, and to compel them to give evidence on oath and produce documents and things, as is vested in any court in civil cases.

Order pro-  
hibiting sale.

6.—(1) If it appears to the Commissioner on reasonable grounds that the issue, sale or offer for sale of any securities is fraudulent or that any person has committed or is about to commit a fraud in connection therewith, he may issue an order prohibiting the sale or offer for sale of such securities.

Service

(2) A copy of the order shall be served upon the issuer and such other persons as the Commissioner may direct.

Publication

(3) Every order made under this section, and every order rescinding or varying any such order, shall be published forthwith in the *Ontario Gazette*, and in such newspapers or periodicals and otherwise as the Commissioner may direct.

Effect of  
order.

7.—(1) No person who has been served with a copy of an order made under the preceding section, or who has knowledge of the issue of such order, shall thereafter issue, sell or offer for sale any securities named in the order.

Voidance  
of sales.

(2) After the issue of the order, every sale of securities named in such order, made while such order is in force shall be voidable at the election of the purchaser.

Advertise-  
ments.

8. No printer, publisher, newspaper proprietor or other person shall print, publish or advertise in any newspaper, magazine or other periodical, printed or published in Ontario, or shall otherwise issue, put forth or distribute in Ontario, any advertisement, circular, letter or other document containing an offer to sell, or solicitation to purchase, or announcement of the issue of any security the sale of which has been prohibited by order of the Commissioner.

Advertising  
fraudulent  
securities.

9. If the Commissioner is of opinion that any securities which are being issued, sold or offered for sale within Ontario

are fraudulent, he may, in his discretion, publish by advertisement or in any other manner, information respecting such securities or warning against the purchase thereof or an invitation to any prospective purchaser to apply to the Commissioner for information in regard thereto.

**10.** *The Commissioner may, in his discretion, place on a separate file, not open to public inspection, any document which, in his opinion, in justice to persons filing the same or concerned therein, should not be made public.* Documents not open to inspection.

**11.** A certificate or certified copy of any order or decision of the Commissioner, given under his hand and official seal shall be received in all courts as evidence of the facts stated in such certificate or certified copy. Certificate and certified copy.

**11a.**—(1) There shall not be made, printed, published, circulated or authorized by any person, any statement or representation that the solvency or financial standing of an issuer or the value of a security is vouched for by the Commissioner or that the allowance of the sale thereof is a warranty or representation of the value of the security or the solvency or financial standing of the issuer or of the truth or accuracy of a statement in a prospectus.

(2) The Commissioner may suspend or prohibit the sale of any security in respect of which such a representation is made if he is satisfied that such a statement or representation is made by the issuer or with the consent or privity of the issuer and the Commissioner may cancel the registration of any agent or broker who is guilty of such an offence.

## PART II.

### STATEMENT.

**12.**—(1) Every issuer of securities, before selling or offering for sale to the public any of such securities shall file with the Commissioner a statement, in duplicate, or in triplicate if required, signed and verified as hereinafter required and dated, setting forth, Issuer to file statement with Commissioner.

Name and address	(a) The name of the issuer and the address of the principal and head office of the issuer;
Occupation or constitution	(b) If the issuer is an individual, his occupation, and if the issuer is not an individual particulars of the act or instrument under which the issuer is constituted;
Location of undertaking.	(c) The location or the proposed location of the undertaking in respect of which the securities are being issued;
Names and addresses of directors.	(d) The names, addresses and occupations of the directors, principal officers, proposed principal officers or other persons acting in similar capacities;
Nature of business.	(e) The nature of the business or proposed business of the issuer and if the issuer is a corporation a concise statement of its powers and objects;
Capital	(f) The authorized capital, the issued capital, the paid up capital and the amount and particulars of all securities which are a charge on the assets and undertaking of the issuer;
Classes of securities issued.	(g) The number and classes of securities into which the capital is divided; a description of the respective voting rights, preferences, rights to dividends, profits or capital of each class with respect to each other class;
Amount of issue and minimum subscription.	(h) The amount of the issue and the minimum subscription on which the issuer may proceed to allotment, which shall not be less than an amount stated by the signatories to the statement to be reasonably sufficient for the purpose of the issue;
Terms of subscription.	(i) The terms of the subscriptions agreement or application including the amount payable on application, on allotment and otherwise;
Purposes of issue.	(j) Details of the purposes and uses to which the proceeds of the issue will be principally applied;



- (k) If the issuer has not been carrying on business for more than three years, the amount or the estimated amount of preliminary and organization expenses, and the names and addresses of and the amounts paid or payable to any person in consideration of the organization or promotion of the undertaking of the issuer or for the sale of the securities and particulars of the services rendered by such person;
- (l) If the issuer has been carrying on business for more than three years, the names and addresses of and the amounts paid or payable to any person inconsideration of the issue, sale or offer for sale of the securities, and particulars of the services rendered by such persons; Particulars of expenses of issue and sale.
- (m) The amount and description of securities issued or proposed to be issued as fully or partly paid, for consideration other than cash, and particulars of such consideration; Securities issued for consideration other than cash.
- (n) The names and addresses of the vendors of any property purchased or acquired or proposed to be purchased or acquired, which is to be paid for wholly or partly out of the proceeds of the issue, or the purchase or acquisition of which has not been completed at the date of the statement, and details of the amount payable in cash, securities or otherwise to the vendor, and where there is more than one vendor or the issuer is a sub-purchaser, the amount so payable to each vendor: but where the vendors, or any of them, are a firm, the members of the firm shall not be treated as separate vendors; Vendors of property purchased.
- (o) The amount, if any, paid or payable as purchase money in cash, securities or otherwise for any property mentioned in the next preceding clause, specifying the amount, if any, paid or payable for good will and the nature of the interest of the issuer in such property, stating whether it is absolute or conditional ownership, under lease, option to purchase, or license of occupation: Amounts payable for property purchased.
- (p) The dates of and parties to every material contract, and a reasonable time and place Material contracts.

at which any material contract or a copy thereof may be inspected; *provided that this requirement shall not apply to a contract entered into in the ordinary course of the business carried on or intended to be carried on by the issuer, or to any contract entered into more than three years before the date of the statement;*

Particulars  
of interest  
of Directors.

- (q) Full particulars of the nature and extent of the interest, if any, of every director in the promotion of or in the property proposed to be acquired by the issuer, or where the interest of such director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares or otherwise by any person either to induce him to become, or to qualify him as, a director or otherwise for services rendered by him or the firm in connection with the promotion or formation of the issuer;

In case of  
a mining  
company

- (r) In the case of a mining company the verbatim report of a professional mining engineer who shall have personally examined the property;

Auditors

- (s) The names and addresses of the auditors.

Further  
information.

- (t) Such further information as the Commissioner may require or as may be prescribed by the regulations.

Copy of  
statement to  
Provincial  
Secretary

- (2) The Commissioner shall transmit one copy of the statement to the Provincial Secretary and in the case of a mining company operating in Ontario, one copy to the Minister of Mines.

If issuer  
is not in  
Ontario  
statement  
may be filed  
by a broker.

- (3) Where the issuer of any security is not domiciled in Ontario and has not filed the statement required by subsection 1, the same may be filed by a broker, and until so filed the security shall not be sold or offered for sale in Ontario.

Interpreta-  
tion  
"Vendor."

- (4) For the purposes of this section, the word "vendor" shall include a person who has entered into a contract, absolute or conditional, for the sale or purchase, or for an option of purchase of any property to be acquired by the issuer where,

- (a) The purchase money is not fully paid at the date of the statement; or,
- (b) The purchase money is to be paid or satisfied wholly or partly out of the proceeds of the issue offered for sale; or,
- (c) The contract depends for its validity or fulfilment on the result of such issue.

(5) Where any of the property to be acquired by the 'Vendor.' issuer is to be taken on lease, this section shall apply as if the expression "vendor" included the lessor and the expression "purchase money" included the consideration for the lease, "Purchase Money." and the expression "sub-purchaser" included a sub-lessee. "Sub-purchaser." See R.S.O. c. 178, s. 104: See also *Imp. Act, 1908*, c. 69, ss. 80, 81.

**13.**—(1) If the issuer is a corporation, the statement shall be signed by every director, named therein, and the facts set forth in the statement shall be verified by affidavit of a responsible officer, or a person having actual knowledge of the facts and having a substantial interest in the corporation or its undertaking. Verification of statement where issuer a corporation.

(2) If the issuer is a partnership, the statement shall be signed by every partner or proposed partner, and the facts set forth in the statement shall be verified by affidavit of at least one of such partners or proposed partners. Partnership.

(3) If the issuer is an individual, the statement shall be signed by the issuer, and the facts set forth in the statement shall be verified by affidavit of the issuer. Individual.

(4) If the issuer is not a corporation or a partnership or an individual, the statement shall be signed and the facts set forth in the statement shall be verified by affidavits of such persons, having actual knowledge of the facts and having substantial interests in the undertaking, as the Commissioner may direct. Other person.

(5) If the statement is filed by a broker pursuant to sub-section 3 of section 12, the statement shall be signed by the broker, and the facts set forth therein shall be verified by affidavit of the broker, and in such other manner as the Commissioner may direct. Broker.

(6) In case of the inability of a person required by this section to sign the statement, such inability being satisfac- Agent.

Additional  
verification.

torily accounted for to the Commissioner, the statement may be signed on his behalf by his agent specifically authorized in writing; provided that such authority verified by affidavit is attached to the statement.

(7) The Commissioner may require such additional verification of the facts set forth in the statement and such additional information as he may deem necessary or desirable. *See R.S.O. c. 178, s. 103; See also Imp. Act, 1908, c. 69, s. 80.*

### PART III.

#### PROSPECTUS.

Prospectus  
to be  
issued.

**14.**—(1) Every issuer of securities, before selling or offering for sale to the public any of such securities, shall issue a prospectus.

What to  
contain.

(2) The prospectus shall bear on its face the date of its issue and shall contain all information relevant to the issue that appears in the statement filed with the Commissioner under section 12 set out in a fair and unequivocal manner.

When broker  
to issue.

(3) *Where the issuer of any security is not domiciled in Ontario and has not issued the prospectus required by subsection 1, the same may be issued by a broker, and until so issued the security shall not be sold or offered for sale in Ontario.*

Name and  
address of  
broker.

(4) Every prospectus used by a broker for the purpose of aiding in the sale of securities shall bear the name and address of such broker printed or stamped thereon in a conspicuous manner. *See R.S.O. c. 178, s. 101.*

Advertise-  
ments, etc.,  
to contain  
information  
in prospec-  
tus.

**15.**—(1) Every advertisement, circular, or other document being used or to be used for the purpose of aiding in the sale of securities offered to the public shall contain a statement that the prospectus required by statute will be furnished on request by the issuer of the advertisement, circular or other document.

Prospectus  
advertisements, etc.,  
to be filed.

(2) Two copies of every prospectus and one copy of every advertisement, circular or other document being used or to be used for the purpose of aiding in the sale of securities offered to the public shall forthwith be filed with the Commissioner, who shall transmit one copy of the prospectus to the Provincial Secretary.

**16.**—(1) A subscription for or purchase of securities offered to the public shall not be binding upon the subscriber or purchaser unless a copy of the prospectus is delivered to and left with him before or at the time of the subscription or purchase. Delivery to subscribers.

(2) A subscriber or purchaser in order to be entitled to the benefit of subsection 1, must elect to cancel his subscription or purchase before or within fifteen days after notice that his subscription has been accepted, or the purchase has been completed. Withdrawal of subscription. See R.S.O. c. 178, s. 101, (3-4).

**17.** Every subscription for, or purchase or other acquisition of securities shall, as against the issuer, and the signatories to the statement mentioned in section 12, be deemed to be induced by the prospectus, notwithstanding any term, proviso or condition thereof to the contrary. Subscription deemed to be induced by prospectus. See R.S.O. c. 178, s. 104, (2).

**18.** Any condition requiring or binding a subscriber or an applicant for securities to waive compliance with any requirement of this Part, or purporting to affect him with notice of any contract, document or matter not specifically referred to in the prospectus shall be void. Certain conditions to be void. See R.S.O. c. 178, s. 104, (8). *Imp. Act, 1908*, c. 69, s. 81 (4).

**19.**—(1) Every promoter and every person who signs the statement mentioned in section 12 or who has authorized the issue of the prospectus, shall be liable to pay compensation to all persons who subscribe for any securities on the faith of such prospectus for the loss or damage they may have sustained by reason of any untrue representation in the prospectus or statement, or in any report or memorandum appearing therein, or by reference incorporated therein or issued therewith, unless it is proved that, Liability for statement and prospectus.

- (a) After the issue of such prospectus and before allotment thereunder, he, on becoming aware of any untrue representation therein, withdrew his consent thereto, and gave notice of such withdrawal and of the reason therefor to the Commissioner, and such public notice thereof as the Commissioner then directed; or
- (b) With respect to every untrue representation not purporting to be made on the authority of an expert, or of a public official document or statement, that he had reasonable ground to believe, and did up to the time of the

allotment of the securities, believe, that the representation was true; or

- (c) With respect to every untrue representation purporting to be a statement by or contained in what purports to be a copy of an extract from a report or valuation of an expert, that it fairly represented the statement, or was a correct and fair copy of or extract from the report or valuation, but the promoter or the person who signed the statement, or authorized the issue of prospectus, shall be liable to pay compensation as aforesaid if it is proved that he had no reasonable ground to believe that the person making the statement, report or valuation was competent to make it; or
- (d) With respect to every untrue representation purporting to be a statement made by an official person or contained in what purports to be a copy of or extract from a public official document, that it was a correct and fair representation of the statement or copy of or extract from the document.

Who to be  
deemed a  
promoter

(2) A promoter in this section shall mean any person who was a party to the preparation of the statement or prospectus or of the portion thereof containing such untrue representation, but shall not include any person by reason of his acting solely in a professional capacity for persons engaged in procuring the issue of the securities. See R.S.O. c. 178, s. 107; *Imp. Act*, 1908, c. 69, s. 84, (1), (5).

Indemnity  
where name  
of person  
has been  
improperly  
inserted.

**20.** Where any prospectus contains the name of a person as a director or as having agreed to become a director, and such person has not consented to become a director, or has withdrawn his consent before the issue of the prospectus, and has not authorized or consented to the issue thereof, the directors, except any without whose knowledge or consent the prospectus was issued, and any other person who authorized the issue of the prospectus, shall be liable to indemnify the person named as director, or as having agreed to become a director, against all damages, costs, charges and expenses to which he may be made liable by reason of his name having been inserted in the prospectus, or in defending himself against any action or legal proceedings brought against him in respect thereof.

**21.** Every person who, by reason of his being a director or named as a director, or as having agreed to become a director, or of his having authorized the issue of the prospectus, has become liable to make any payment under the provisions of this Act shall be entitled to recover contribution, as in cases of contract, from any other person who, if sued separately, would have been liable to make the same payment unless the person who has become so liable was, and that other person was not, guilty of a fraudulent misrepresentation.

#### PART IV.

##### BROKERS AND SALESMEN.

**22.**—(1) No broker or salesman, except a salesman resident in Ontario and acting only in the name and on behalf of a registered broker, shall carry on business in Ontario or sell or offer for sale any securities in Ontario unless he has been registered as a broker or salesman in the office of the Commissioner pursuant to the provisions of this section.

(2) Every applicant for registration shall file in the office of the Commissioner an application in writing in such form as the Commissioner may prescribe, duly verified by oath, giving such particulars in reference to the applicant, his character, reputation, previous employment and the nature of his business as may be required by the Commissioner.

(3) The names and addresses of all persons approved for registration as brokers or salesmen shall be entered in a register which shall be kept in the office of the Commissioner and shall be open to public inspection.

(4) Before registration of an applicant not domiciled in Ontario, the Commissioner shall require the applicant to furnish security in a form satisfactory to the Commissioner in the sum of \$10,000 that he will faithfully comply with the provisions of this Act.

(5) Registration may be refused, or a registration granted under this section may be cancelled by the Commissioner, if, after due investigation and a hearing, he determines that the broker or salesman so registered

- (a) has violated any provision of this Act or of the regulations made hereunder; or
- (b) has made a material mis-statement in the application for such registration; or,

(c) has been guilty of a fraudulent act; or

(d) has demonstrated his incompetency or untrustworthiness to transact the business of broker or salesman.

Partnership  
and cor-  
poration

(6) Registration may be granted to a partnership or corporation carrying on the business of broker or salesman upon due application of the partnership or corporation giving the particulars in reference to the members of the partnership or the officers and directors of the corporation which are required in respect of the application of an individual.

Cancellation  
of  
registration.

(7) If a member of a duly registered partnership or an officer or director of a duly registered corporation has been guilty of any act or omission which, under the provisions of subsection 5 hereof would render the registration of an individual broker or salesman liable to cancellation, the registration of the partnership or corporation shall be cancelled by the Commissioner, and shall not be renewed while such person remains a member of the partnership or an officer, director or employee of the corporation.

Sale of  
securities  
without  
registration

(8) A broker or salesman who is not registered as required by this section or whose registration has been cancelled and not renewed shall not in Ontario sell or offer for sale any security as a broker or salesman.

## PART V.

### GENERAL PROVISIONS.

Penalties

**23.**—(1) Everyone who contravenes any provision of this Act shall be guilty of an offence, and shall incur a penalty of not more than \$1,000, and for a second or any subsequent offence shall incur a penalty of not more than \$2,000, and in default of payment of any penalty so imposed shall be imprisoned for a period not exceeding six months.

Where  
intent to  
defraud.

(2) Everyone who, with intent to defraud, contravenes any provision of this Act shall incur a penalty of not less than \$200, and not more than \$10,000, and may, in the discretion of the convicting magistrate, be imprisoned for a period not exceeding two years, and for a second or any subsequent offence shall incur a penalty of not less than \$1,000 and not more than \$25,000, and shall be imprisoned for a period not exceeding two years, and in default of payment of any pecuniary penalty shall be imprisoned for a



period not exceeding six months in addition to any other term of imprisonment which may be imposed.

(3) Any penalty imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*. Recovery  
of penalties

**24.** The filing of any document in the office of the Commissioner shall be *prima facie* evidence of the knowledge on the part of the person signing such document of the falsity of any untrue statement or of any untrue representation therein contained. Depositing  
of documents  
*prima facie*  
evidence of  
contents

**25.**—(1) *The Lieutenant-Governor-in-Council may make regulations fixing the fees payable on the filing of documents and for searches and for the registration of brokers and salesmen and generally for the better carrying out of the provisions of this Act.* Regulations.

(2) *Such regulations shall be published in The Ontario Gazette.*

**26.** This Act shall come into force on the 1st day of September, 1923. Commence-  
ment of  
Act.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the Sale of Securities.

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1st Reading,	25th January, 1923.
2nd Reading,	6th April, 1923.
3rd Reading,	1923.

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*(Reprinted as amended and with suggested  
amendments for consideration by Com-  
mittee of the Whole House).*

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Mr. RANNEY

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Sand and Gravel.

**H**IS MAJESTY by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Gravel Control Act, 1923*. Short title.
2. From and after the commencement of this Act it shall be unlawful to export out of the Province of Ontario any sand or gravel taken from that portion of the bed of the St. Clair River, the title to which is in His Majesty. Exporting certain sand and gravel unlawful.
3. Everyone who exports any such sand or gravel in violation of this Act shall incur a penalty of \$1,000 for each offence recoverable under *The Ontario Summary Convictions Act*. Penalty. Rev. Stat. c. 90.
4. The Lieutenant-Governor in Council may appoint a Board of three or more persons to be known as "The Gravel Control Board," which Board shall control, regulate and govern the taking or removal of all such sand or gravel including the price or prices at which the same shall be supplied to municipalities in Ontario for the construction or repair of highways. Gravel Control Board, appointment of.
5. The Board may issue licenses or permits to municipalities, individuals or corporations for the taking of such sand or gravel upon such terms and conditions as to the Board may seem just and no such sand or gravel shall be taken or removed unless and until a permit or license therefor has been first obtained. Power of Board to issue licenses.
6. The Board may in its uncontrolled discretion refuse or cancel any such permit or license at any time. Refusal or cancellation of licenses.
7. This Act shall come into force on the first day of June, 1923. Commencement of Act.

No. 67.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Sand and Gravel.

1st Reading, 30th January,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend the Law as to Contributory Negligence.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Contributory Negligence Act, 1923.* Short title.

**2.** In actions for damages for personal injuries caused by negligence, contributory negligence on the part of a person injured, shall not hereafter be a bar to recovery by him, or by any person entitled to damages under *The Fatal Accidents Act*, in an action for the recovery of damages for an injury sustained by, or causing the death of such person, and for which the defendant would otherwise have been liable. Contributory negligence when not to be a bar. Rev. Stat. c. 151.

**3.** Contributory negligence on the part of the person injured shall nevertheless be taken into account in assessing the damages in any such action, and such damages shall be awarded in proportion to the degree in which each party was in fault. Assessment of damages.

**4.** If it is not possible to establish different degrees of fault, the defendant shall be liable for one-half the damages sustained. Liability of defendant.

**5.** All actions under this Act shall be tried by a Judge without the intervention of a jury. Actions to be tried without jury.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 68.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend the Law as to Con-  
tributory Negligence.

1st Reading,	30th January,	1923.
2nd Reading,		1923.
3rd Reading,		1923.

Mr. Huu.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 460 of *The Consolidated Municipal Act, 1922*, is amended by inserting at the commencement thereof the words: "Except as hereinafter provided" and by adding thereto the following words: "provided that an action may be brought at any time notwithstanding the expiration of three months on leave of a Court or Judge," so that the subsection as so amended will read as follows:—

- (2) Except as hereinafter provided no action shall be brought against a corporation for the recovery of damages occasioned by such default, whether the want of repair was the result of nonfeasance or misfeasance, after the expiration of three months from the time when the damages were sustained; provided that an action may be brought at any time notwithstanding the expiration of three months on leave of a Court or Judge.

No. 69.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading, 30th January,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HILL

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Ontario Voters' Lists  
Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Voters' Lists* Short title.  
*Amendment Act, 1923.*

2. Subsection 1 of section 23 of *The Ontario Voters' Lists* 1922, c. 74,  
*Act, 1922,* is amended by adding at the end thereof the s. 23, subs. 1,  
following words:—"And the Judge may, upon application amended.  
of the clerk of the municipality, correct any mistake which  
shall appear to have been made in compiling the list in respect  
of the name, place of abode, qualification, or of the local or  
other description of the property of a person entered on the  
list, and to make such corrections as shall be certified by the  
said clerk as having been made necessary by reason of the  
change of residence or ownership or other gross and manifest  
error in the assessment roll upon which the voters' list is  
prepared."

3. This Act shall come into force on the day upon which it Commence-  
receives the Royal Assent. ment of  
Act.

No. 70.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Ontario Voters'  
Lists Act, 1922.

1st Reading, 30th January.	1923.
2nd Reading.	1923.
3rd Reading.	1923.

MR. STEVENSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** *The Assessment Act* is amended by adding after section 22 the following as section 22a: Rev. Stat.  
c. 195  
amended

22a. When an assessment has been made under the provisions of section 22, the amount thereof in the roll as finally revised and corrected for that year shall be the amount for which the property shall be assessed for the next following number of years as the Council of the Municipality by By-law may direct but not exceed in any case four years in respect of the land and property included in such assessment; but at any time before the return of the assessment roll in any year the said amount may be reduced by deducting therefrom the value of any land or property included in such assessment which has been subdivided or in any way reduced in value, and a further assessment may be made for any subdivision or increase in land or building, or any increase in value, not included in such assessment. Assessment  
fixed for four  
years.

No. 71.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading, 30th January,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. STEVENSON.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

An Act to regulate Travel on Highways, and the  
Speed, Operation and Load of  
Vehicles thereon.

**HIS MAJESTY**, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

## PRELIMINARY.

1. This Act may be cited as *The Highway Traffic Act, 1923*. Short title.  
*New.*
2. In this Act,—
 

	Interpreta- tion.
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  - (a) "Chauffeur" shall mean any person who operates a motor vehicle and receives compensation therefor; "Chauffeur."
  - (b) "Commercial Motor Vehicle" shall mean any motor vehicle having permanently attached thereto a truck or delivery body and shall include ambulances, hearses, casket wagons, fire apparatus and police patrols; "Com-  
mercial  
Motor  
Vehicle."
  - (c) "Department" shall mean "Department of Public Highways;" "Depart-  
ment."
  - (d) "Garage" shall mean every place or premises where motor vehicles are received for housing, storage, or repairs for compensation; "Garage."
  - (e) "Gross Weight" shall mean the combined weight of vehicle and load; *New.* "Gross  
Weight."
  - (f) "Highway" shall include a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passages of vehicles; 2 Geo. V. c. 48, s. 2 (a):  
*redrafted.* "Highway."

- "Minister" (g) "Minister" shall mean Minister of Public Highways; *New.*
- "Motor Vehicle." (h) "Motor Vehicle" shall include automobile, motor bicycle, and any other vehicle propelled or driven otherwise than by muscular power; but shall not include the cars of electric or steam railways, or other motor vehicles running only upon rails or a traction engine within the meaning of this Act; 2 Geo. V, c. 48, s. 2 (b): *amended.*
- "Operator." (i) "Operator" shall mean any person other than a chauffeur who operates a motor vehicle on a highway; *New.*
- "Peace officer." (j) "Peace Officer" shall include a mayor, warden, reeve, sheriff, deputy sheriff, sheriff's officer, justice of the peace, gaoler or keeper of a prison, and a police officer, police constable, bailiff, constable or other person employed for the preservation and maintenance of the public peace, or for the service or execution of civil process, or any officer appointed for enforcing or carrying out the provisions of this Act; 2 Geo. V, c. 48, s. 2 (c): *redrafted.*
- "Public vehicle." (k) "Public vehicle" shall mean a motor vehicle operated by or on behalf of a person carrying on upon the public highway, the business of a public carrier of passengers and express freight which might be carried in a passenger vehicle, and operating over a stated route or between fixed termini or at stated intervals, but shall not apply to the cars of electric or street railways operating on the public highway;
- "Solid tires." (l) "Solid tires" shall mean all tires other than pneumatic tires;
- "Trailer." (m) "Trailer" shall mean any vehicle which is at any time drawn upon a highway, by a motor vehicle, except an implement of husbandry, temporarily drawn, propelled, or moved upon such highway, and except a side car attached to a motorcycle;
- "Vehicle." (n) "Vehicle" shall include motor vehicle, trailer, traction engine and any vehicle drawn, propelled, or driven by any kind of power, including muscular power but not including the cars of electric or steam railways running only upon rails. *New.*

## PART I.

## REGISTRATION AND PERMITS.

**3.**—(1) The owner of every motor vehicle shall register <sup>Registration of Motor Vehicles.</sup> the same with the Department before driving or operating or causing the same to be driven or operated upon a highway and shall pay to the Department, a fee for the registration of such motor vehicle and for the number plates therefor and, on failure to do so, shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence, a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and, for any subsequent offence, shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days. 2 Geo. V, c. 48, s. 3 part; 6 Geo. V, c. 47, s. 3 part: *redrafted*.

(2) The Department shall issue for each motor vehicle so <sup>Permits for vehicles.</sup> registered a numbered permit stating that such motor vehicle is registered in accordance with this Act, and shall cause the name of such owner, his address and the number of his permit, to be entered in a book to be kept for such purpose. 2 Geo. V, c. 48, s. 3 part; 6 Geo. V, c. 47, s. 3: *amended*.

(3) The Minister may give authority to any person to <sup>Local issuance of motor vehicle permits.</sup> issue permits for motor vehicles and may define the duties and powers of such person, and, where the salary is not otherwise provided, may authorize and fix the fee to be retained by the person so authorized for each permit issued. 7 Geo. V, c. 49, s. 2: *amended*.

(4) Declarations or affidavits in connection with the <sup>Administration of declaration and affidavits.</sup> issuance of permits and licenses under this Act or required by the Department in that regard, may be taken before any person having authority to administer oaths or before any person specially authorized for that purpose by the Lieutenant-Governor in Council, but any person so specially authorized shall not charge any fee therefor. 6 Geo. V, c. 47, s. 4: *amended*.

(5) The Lieutenant-Governor in Council may make <sup>Regulations.</sup> regulations regarding the renewal and transfer of such permits, the payment of fees therefor, the amount and time of payment of such fees, and also the registration and operation of motor vehicles owned by manufacturers or dealers and not kept by them for private use. 2 Geo. V, c. 48, s. 3 part: *amended*.

**4.**—(1) Any person who knowingly makes any false <sup>Penalty for false statement.</sup> statement of fact in any application, declaration, affidavit or paper-writing required by this Act or by the regulations

or by the Department in order to procure the issuance to him of a license, permit or certificate of registration shall in addition to any other penalty or punishment to which he may be liable incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. 8 Geo. V, c. 37, s. 3: *amended*.

Notice of  
change of  
address.

(2) Where an owner changes his address as given under subsection 2 of section 3 he shall within six days send by registered letter or cause to be filed in the Department his change of address, and every subsequent change of address, and on failure to do so shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. 8 Geo. V, c. 37, s. 2: *redrafted*.

No permit  
where serial  
number  
obliterated.

Proof of  
ownership of  
vehicle  
where serial  
number is  
obliterated.

(3) No permit shall be issued for a motor vehicle where the manufacturer's serial number or similar identifying mark has been obliterated or defaced, until the owner has filed with the Department satisfactory proof of the ownership of the vehicle, and, if known, the reason for such obliteration or defacement. If satisfied as to the statements made, the Minister may grant permission to cut, impress, emboss, or attach permanently to such vehicle a special identification number or mark which thereafter shall be deemed sufficient for the purpose of registration of such vehicle. 12-13 Geo. V, c. 80, ss. 8-9: *redrafted*.

Number  
plate on  
front and  
back of  
other motor  
vehicles  
showing  
number of  
permit.

5.—(1) Every motor vehicle other than a motor bicycle, while being driven on a highway, shall have attached to and exposed on the front and back thereof, in a conspicuous position, a number plate furnished by the Department showing in plain figures the number of the permit issued for the current year. 2 Geo. V, c. 48, s. 8 part; 4 Geo. V, c. 36, s. 4; 6 Geo. V, c. 47, s. 3; 7 Geo. V, c. 49, s. 5: *redrafted*.

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of



not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. *New.*

(3) The number plate on the front shall be as far forward <sup>Position of number plate.</sup> and as high from the ground as may be necessary to render it distinctly visible, and the number plate on the back shall be so placed that the lower edge thereof shall not be lower than the body of the motor vehicle; provided that this subsection, so far as relating to the position of the number plate on the back shall not apply to motor trucks or other motor vehicles for the delivery of goods. 2 Geo. V, c. 48, s. 8 part; 4 Geo. V, c. 36, s. 1: *amended.*

(4) Any person who violates any of the provisions of sub- <sup>Penalty.</sup> section 3 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.*

(5) A motor bicycle while being driven on a highway <sup>Number plate on motor bicycle.</sup> shall have exposed on the front and back thereof a number plate furnished by the Department showing in plain figures, not less than two inches in height, the number of the permit of such motor bicycle. The number plate on the front shall show the number of the permit on both sides and shall be fixed so that the number is plainly visible from either side of the motor bicycle. 7 Geo. V, c. 49, s. 4 (1) part: *amended.*

(6) Any person who violates any of the provisions of sub- <sup>Penalty.</sup> section 5 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.*

**6.—(1) Any person who**

- (a) defaces or alters any number plate furnished by <sup>Number plates.</sup> the Department, or
- (b) uses or permits the use of a defaced or altered number plate or a number plate issued by the

Department for any other motor vehicle upon any motor vehicle owned by him, or

- (c) without the authority of the owner removes a number plate from a motor vehicle or attaches thereto a number plate not issued for such motor vehicle by the Department, or

Notice of  
sale of  
motor  
vehicle.

- (d) does not within six days forward a notice to the Department of the sale or transfer by or to him of a motor vehicle for which a permit has been issued,

shall incur for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. 7 Geo. V, c. 49, s. 8; 10-11 Geo. V, c. 74, ss. 2-3; 11 Geo. V, c. 72, s. 4: *redrafted*.

Number  
plates to be  
property of  
Crown.

(2) Every number plate furnished by the Department under this Act shall be and remain the property of the Crown and shall be returned to the Department whenever required by the Department, and any person failing to so return the number plate without reasonable excuse shall incur, for the first offence, a penalty of not less than \$5; and for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition, his license or permit may be suspended for any period not exceeding 30 days, and the Minister may also for such failure refuse to issue a license or permit to such person. 8 Geo. V, c. 37, s. 5: *redrafted*.

No other  
numbers to  
be exposed.

7.—(1) No number other than that upon the number plate furnished by the Department shall be exposed on any part of a motor vehicle in such a position or manner as to confuse the identity of the number plate. 2 Geo. V, c. 48, s. 9 (1); 6 Geo. V, c. 47, s. 5 (3): *redrafted*.

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition his license or permit may be suspended for any period not exceeding 30 days. *New*.

(3) The number plates shall be kept free from dirt and obstruction and shall be so affixed that the numbers thereon may be at all times plainly visible, and the view thereof shall not be obscured or obstructed by spare tires, bumper bars, or by any part of the motor vehicle or attachments thereto, or by the load carried. 2 Geo. V, c. 48, s. 9 (2); 11 Geo. V, c. 72, s. 2.

Numbers to  
be kept  
clean.

(4) Any person who violates any of the provisions of sub-section 3 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.*

Penalty.

8. Any peace officer who has reason to believe that a motor vehicle is carrying number plates which were not issued for it, or which although issued for it were obtained by false pretences, may take possession of such number plates and retain them until the facts as to the carrying of such number plates have been determined. 12-13 Geo. V, c. 80, s. 8.

Improper  
number  
plates.

9.—(1) The provisions of sections 3, 5, and subsection 1 of section 7 shall not apply to a motor vehicle owned by any person who does not reside or carry on business in Ontario for more than three consecutive months in each year, if the owner thereof is a resident of some other Province of Canada, and has complied with the provisions of the law of the Province in which he resides as to registration of a motor vehicle and the display of the registration number thereon. 3-4 Geo. V, c. 52, s. 3 part; 7 Geo. V, c. 49, s. 9.

Exceptions  
as to resi-  
dents of  
other  
Provinces.

(2) The provisions of sections 3, 5, and subsection 1 of section 7 and subsection 1 of section 17 and the Regulations made by the Lieutenant-Governor in Council in pursuance of subsection 5 of section 3 shall not apply to residents of Countries or States which grant similar exemptions and privileges with respect to motor vehicles registered under the laws of, and owned by residents of Ontario; provided, however, that this subsection shall not apply to commercial vehicles or vehicles used by non-resident corporations doing business in Ontario or to motor vehicles operated under dealers' or manufacturers' permits or licenses, save and except that the provisions of subsection 1 of section 17 shall not apply to drivers of any such motor vehicles and provided, further, that the exemptions granted by this subsection shall not be valid for a period of residence in Ontario in excess of 30 days in any one year. 6 Geo. V, c. 47, s. 6: *redrafted.*

Exceptions  
as to resi-  
dents of  
foreign  
countries.

## PART II.

## REQUIREMENTS AS TO EQUIPMENT.

- Lamps.**           **10.**—(1) Whenever on a highway after dusk and before dawn, every motor vehicle shall carry three lighted lamps in a conspicuous position, one on each side of the front, which shall cast a white, green or amber coloured light only, and one on the back of the vehicle, which shall cast from its face a red light only, except in the case of a motor bicycle without a side car, which shall carry one lamp on the front which shall cast a white light only and one on the back of the vehicle which shall cast from its face a red light only. Any lamp so used shall be clearly visible at a distance of at least two hundred feet. 7 Geo. V, c. 49, s. 3; 12-13 Geo. V, c. 80, s. 4: *redrafted*.
- Strength of front lamps.**   (2) No motor vehicle shall carry on the front thereof more than three lighted lamps of over four candle power and additional lights displayed on the front of commercial vehicles to distinguish the width or class of such vehicle shall be green in colour only and of not more than four candle power.
- Penalty.**           (3) Any person who violates any of the provisions of subsections 1 or 2 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New*.
- Fire Dept. vehicle lamps.**   (4) In the case of a motor vehicle belonging to a municipal fire department the lamps on the front may cast a red light only or such other colour of light as may be designated by by-law of the municipality approved by the Department. 12-13 Geo. V, c. 80, s. 4 part: *amended*.
- Bicycles and tricycles.**   (5) Whenever on a highway after dusk and before dawn, every bicycle or tricycle shall carry on the back thereof a red lamp or red reflector so placed as to be clearly visible to drivers of vehicles approaching from the rear.
- Penalty.**           (6) Any person who violates any of the provisions of subsection 5 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25.

(7) The lamp on the back of a motor vehicle shall be of at least four candle power and shall be placed immediately above the centre of the rear number plate so that it will illuminate at all times between dusk and dawn the numbers on the said number plate, or if provision is made on the number plate or on any attachment furnished or required by the Department for affixing such lamp, it shall be affixed in the position or space provided. Such lamp shall face to the rear and reflect on the number plate a white light only. Rear lamps to illuminate number plate

(8) Any person who violates any of the provisions of subsection 7 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition, his license or permit may be suspended for any period not exceeding 60 days. Penalty.

(9) A motor vehicle while standing upon any highway at such times as lights are required by the provisions of this section for such vehicle may, in lieu of the lighting equipment specified in this section, show one light carried on the left side of the car in such a manner as to be clearly visible to the front and rear for a distance of at least two hundred feet and to show white to the front and red to the rear of the vehicle, provided, however, that such light shall not be displayed while the motor vehicle is in motion. *New.* Parking lights.

(10) It shall be unlawful to carry on a motor vehicle any lighting device of over four candle power, equipped with a reflector, unless the same shall be so designed, deflected or arranged that no portion of the parallel beam of reflected light when measured seventy-five feet or more ahead of the lamp shall rise above 42 inches from the level surface on which the vehicle stands. 7 Geo. V, c. 49, s. 7 (1); 10-11 Geo. V, c. 74, s. 2. Prohibition as to strength of light with reflector.

(11) Any device for the elimination of glare, approved from time to time by the Minister, when in proper adjustment, and having a lamp of candle power not in excess of that authorized by the Minister for such device, shall be held to be in conformity with the next preceding subsection. 10-11 Geo. V, c. 74, s. 2. Device for elimination of glare.

(12) Any person who violates any of the provisions of subsections 9 or 10 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.* Penalty.

Prohibition  
as to use of  
certain kind  
of light.

(13) It shall be unlawful to carry on any motor vehicle on a highway any lamp which revolves upon a pivot or other device so that the rays of such light may be projected in different directions by an occupant of the vehicle, but this shall not prevent a motor vehicle of a municipal fire department from carrying such a lamp for use only at the actual scene of a fire, or a motor vehicle used by a public service corporation, commission, or board for locating breaks in or trouble with overhead wiring or a motor vehicle of the Department. 7 Geo. V, c. 49, s. 6; 11 Geo. V, c. 72, s. 3: *redrafted*.

Spotlights.

(14) Spotlights or searchlights shall be affixed to the left side of the vehicle only and the ray of light therefrom shall be directed to the extreme right of the travelled portion of the highway in such a manner that the beam of light shall strike the extreme right of the travelled portion of the highway within seventy-five feet of the said vehicle.

Penalty.

(15) Any person who violates any of the provisions of subsections 13 or 14 shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. *New*.

Lights to be  
carried on  
engine.

(16) Every traction engine shall, after dusk and before dawn, carry a lamp in a conspicuous place in front which shall cast a green light only and one on the rear of the engine or of any vehicle which may be attached to it which shall cast from its face a red light only. 2 Geo. V, c. 47, s. 5: *redrafted*.

Penalty.

(17) Any person who violates any of the provisions of subsection 16 shall incur for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days.

Brakes.

**11.**—(1) Every motor vehicle operated or driven on a highway shall be provided at all times with adequate brakes kept in good working order and a peace officer may at any time inspect or cause an inspection to be made of the brakes

on any motor vehicle on the highway, and may require the driver of a motor vehicle which is not equipped with adequate brakes to forthwith proceed to put the brakes in good working order.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. *New.*

**12.—**(1) Every commercial motor vehicle and public vehicle shall be equipped with a mirror securely attached to it and placed in such a position as to afford the driver of such motor vehicle, while driving or operating the vehicle, a clear view of the roadway in the rear, or of any vehicle approaching from the rear. 9 Geo. V, c. 57, s. 2.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition, his license or permit may be suspended for any period not exceeding 30 days.

**13.—**(1) All self-propelled vehicles, other than traction engines, shall be equipped with rubber tires or tires of some composition equally resilient, and a vehicle shall not be operated on any highway with a tire that is broken or defective in such a manner as to cause additional impact or pounding on or cutting of the highway. In the case of motor vehicles equipped with solid rubber tires there shall be at least one and one-quarter inches of rubber between the wheel rim and the roadway.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence, a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.*

Noise  
muffler.

**14.**—(1) Every motor vehicle shall be equipped with a noise muffler, and no contrivance for releasing such muffler shall be attached to the motor vehicle so that it may be operated from any seat in the vehicle. 9 Geo. V, c. 57, s. 2.

Unnecessary  
noise.

(2) A person having the control or charge of a motor vehicle shall not sound any bell, horn or other signalling device so as to make an unreasonable noise, and an operator or chauffeur of any motor vehicle shall not permit any unreasonable amount of smoke to escape from the said motor vehicle, nor shall such operator or chauffeur at any time, by cutting out the muffler or otherwise, cause such motor vehicle to make any unnecessary noise, provided that this subsection shall not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call. 3-4 Geo. V, c. 52, s. 5; 11 Geo. V, c. 72, s. 6.

Alarm bell  
to be  
sounded at  
crossings,  
etc.

(3) Every motor vehicle shall be equipped with an alarm bell, gong or horn, and the same shall be kept in good working order and sounded whenever it shall be reasonably necessary to notify pedestrians or others of its approach. 6 Geo. V, c. 48, s. 6 (1).

Penalty.

(4) Any person who violates any of the provisions of subsections 1, 2, or 3 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition, his license or permit may be suspended for any period not exceeding 30 days. *New.*

Sleigh bells.

**15.**—(1) Every person travelling upon a highway with a sleigh or sled drawn by a horse or other animal, shall have at least two bells attached to the harness or to the sleigh or sled in such a manner as to give ample warning sound. 2 Geo. V, c. 47, s. 8: *amended.*

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25. *New.*

Width of  
vehicle.

**16.**—(1) No vehicle, including load or contents, shall have a greater width than 96 inches, except traction engines or threshing machines which may have a total width of 110 inches, and except loads of loose fodder, which may have a total width of 120 inches. 10-11 Geo. V, c. 75, s. 3.



(2) Any person who violates any of the provisions of sub-section 1 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50. *New.*

### PART III.

#### CHAUFFEUR'S LICENSES.

**17.**—(1) No person shall operate or drive a motor vehicle on a highway as a chauffeur unless he is licensed to do so, and no person shall employ anyone to drive a motor vehicle who is not a licensed chauffeur. 2 Geo. V, c. 48, s. 4: *amended.*

(2) Any person who violates any of the provisions of sub-section 1 shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. *New.*

(3) Chauffeur's licenses may be issued by the Minister to such persons for such time and upon such terms and subject to such regulations and restrictions as the Lieutenant-Governor in Council may prescribe. 2 Geo. V, c. 48, s. 4; 6 Geo. V, c. 47, s. 3 part: *amended.*

(4) A license shall not be issued to a chauffeur unless he files with the Department certificates that he is a fit and proper person to be so licensed, having regard to his character, physical fitness, ability to drive and knowledge of the rules of the road. One of such certificates touching the applicant's character shall be furnished by the chief constable or Police Magistrate of the municipality in which the applicant resides, and one other certificate touching the applicant's physical fitness, ability to drive and knowledge of the rules of the road shall be furnished by an examiner appointed for that purpose by the Lieutenant-Governor in Council and residing in the municipality in which the applicant resides. 9 Geo. V, c. 57, s. 1: *amended.*

(5) If there is no such examiner residing in the municipality, the certificate may be signed by the examiner residing in

the municipality nearest to that in which the applicant resides. 6 Geo. V, c. 47, s. 5 (2).

**Examination** (6) Before a person is appointed an examiner he shall pass such an examination or furnish such evidence of his qualifications as the Minister shall require. *New.*

**When professional driver may be disqualified.**

**18.** A Police Magistrate or Justice of the Peace by whom a person is convicted of a violation of this Act, if the person convicted is required to hold a chauffeur's license and does not hold such license, may declare him disqualified to hold such a license for such time as the Police Magistrate or Justice of the Peace thinks fit and shall so report with the certificate of the conviction to the Minister. 2 Geo. V, c. 48, s. 25 (1): *amended.*

**Production of license.**

**19.—(1)** A license must be produced by any person driving a motor vehicle as a chauffeur when demanded by a peace officer. 2 Geo. V, c. 48, s. 5. *Amended.*

**Penalty.**

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition, his license or permit may be suspended for any period not exceeding 30 days. *New.*

**Production of license.**

(3) A person convicted of an offence under this Act if he holds a chauffeur's license shall forthwith produce the license for the purpose of endorsement, and if he does not hold a chauffeur's license, the owner of the vehicle with, or in, which the offence was committed shall forthwith produce his permit for the purpose of endorsement. 2 Geo. V, c. 48, s. 25 (3): *redrafted.*

**Penalty.**

(4) Any person who violates any of the provisions of subsection 3 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days.

**Endorsement of conviction on license or permit.**

**20.** Police Magistrates or Justices of the Peace by whom a person is convicted of a violation of this Act shall cause particulars of the conviction to be endorsed upon the chauffeur's license or owner's permit, as the case may be, and if the penalty imposed includes the suspension of the license or permit, shall take and hold for the period of the suspension such license or permit and any badge issued therewith. *New*

**21.** The Minister may at any time for misconduct or violation of the provisions of this Act or of any regulation thereunder by an owner, operator or chauffeur of a motor vehicle suspend or revoke any permit or license, and during such suspension and until any such revocation shall be cancelled by the Minister no further or other license or permit shall be issued to such owner, operator or chauffeur, and the Minister may also for such misconduct or violation prohibit any person from driving a motor vehicle for a period not exceeding 2 years, and any such person who drives a motor vehicle during the prohibited period shall incur a penalty not exceeding \$500. 2 Geo. V, c. 48, s. 21; 7 Geo. V, c. 49, s. 15; 8 Geo. V, c. 37, s. 9.

Power to revoke permit or license.

Power of Minister to prohibit driving.

#### PART IV.

##### GARAGES AND STORAGE LICENSES.

**22.**—(1) No person shall store or deal in motor vehicles' or conduct what is known as a garage business, without having been licensed so to do by the Department.

License.

(2) The fee for the license shall be such as may be fixed from time to time by order of the Lieutenant-Governor in Council on the recommendation of the Minister. 11 Geo. V, c. 72, s. 6; *amended*.

Fee.

(3) Every person who stores or deals in motor vehicles or conducts a garage business without a license shall incur a penalty of not less than \$10 and not more than \$50 for the first offence; not less than \$50 and not more than \$200 for the second or subsequent offence, and shall also be liable to imprisonment for a term not exceeding three months for a third or any subsequent offence. *New*.

Penalty for conducting garage business without license.

(4) Any peace officer may enter into any place where motor vehicles are stored or dealt in or into any garage required to be licensed and make such investigation and inspection as he thinks proper in order to ascertain whether the provisions of this Act have been complied with.

Right of entry and inspection.

(5) Any person who obstructs, molests or interferes with any such constable or officer in the performance of his duty under subsection 1 shall incur a penalty of not less than \$25 and not more than \$100 for the first offence; not less than \$100 and not more than \$300 for the second offence; and not less than \$300 and not more than \$500 and shall also be liable to imprisonment for a term not exceeding six months for the third or any subsequent offence. 12-13 Geo. V, c. 80, s. 8 part; *amended*.

Penalty for interference.

Minister  
suspend or  
cancel  
license.

(6) The Minister may suspend or cancel the license issued for a garage business for misconduct or for non-compliance with or infraction of any of the provisions of this Act or of the regulations by the holder of such license or by any of his employees or for any other reason appearing to him to be sufficient.

Regulations.

(7) The Lieutenant-Governor in Council may, upon the recommendation of the Minister, make regulations controlling and governing the conduct of a garage business. 12-13 Geo. V, c. 80, s. 7 part.

Record of  
second-hand  
vehicles  
bought,  
sold, etc.

**23.**—(1) All persons who buy, sell, wreck or otherwise deal in second-hand motor vehicles shall keep a correct record of all motor vehicles bought, sold or wrecked and of such information as will enable such motor vehicles to be readily identified, and shall transmit within 6 days to the Department, on forms furnished by the Department, a statement of each motor vehicle bought, sold or wrecked by him and such information with reference thereto as may be required by the Department.

Prohibition  
as to buying  
where  
number  
obliterated.

(2) No person shall buy, sell, wreck or otherwise deal with any motor vehicle where the manufacturer's serial number or similar identifying mark has been obliterated or defaced or is not readily recognizable. 9 Geo. V, c. 57, s. 4 part: *amended*.

Defacing  
serial  
number.

(3) No person shall deface or remove the manufacturer's serial number or identifying mark from a motor vehicle or from the engine thereof. *New*.

Report to  
Department  
as to cars  
stored.

(4) Where any motor vehicle is placed in the possession of any person who repairs, buys, sells, wrecks or stores motor vehicles or conducts what is known as a garage business and the same remains in his possession for more than two weeks without good reason, such person shall forthwith, upon the expiration of the said period of two weeks make a report thereof to the Department. 9 Geo. V, c. 57, s. 4 part: *amended*.

Penalty.

(5) Any person who violates any of the provisions of this subsection shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100; and for any subsequent offence a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days. *New*.

## PART V.

## RATE OF SPEED.

**24.—**(1) No motor vehicle shall be driven upon any highway within a city, town or village at a greater rate of speed than twenty miles per hour; nor at a street intersection or curve where the driver of the vehicle has not a clear view of any approaching traffic at a greater rate of speed than 10 miles per hour in a city, town or village, or  $12\frac{1}{2}$  miles per hour outside a city, town, or village, but the council of a city, town or village may by by-law set apart any highway or any part thereof on which motor vehicles may be driven at a greater rate of speed for the purpose of testing the same, and may pass by-laws for regulating and governing the use of any such highway or part thereof for such purpose. The council of any city, town or village may pass a by-law prohibiting a motor vehicle from being driven at a greater rate of speed than 15 miles an hour within any public park or exhibition ground; provided that this subsection shall not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call. 9 Geo. V, c. 57, s. 3; 11 Geo. V. c. 72, s. 5: *amended*.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$50; for the second offence a penalty of not less than \$10 and not more than \$75, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$25 and not more than \$100 and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

(3) No motor vehicle shall be driven upon any highway outside of a city, town or village at a greater rate of speed than 25 miles per hour. 9 Geo. V. c. 57, s. 3.

(4) Any person who violates the provisions of subsection 3: *Graded penalties.*

(a) Where the rate of speed does not exceed 35 miles per hour, shall incur for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence, a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days.

- (b) Where the rate of speed exceeds 35 miles per hour but does not exceed 40 miles per hour, shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition his license or permit may be suspended for any period not exceeding 6 months.
- (c) Where the rate of speed exceeds 40 miles per hour, shall incur for the first offence a penalty of not less than \$25 and not more than \$100, and shall also be liable to imprisonment for any term not exceeding 6 months and in addition his license or permit may be suspended for any period not exceeding one year. *New.*

Reckless  
driving.  
Penalty.

**25.** Notwithstanding the provisions of section 24, any person who drives, or under ordinary observation is seen to drive, a motor vehicle on a highway carelessly or incompetently, recklessly or negligently, or at a speed or in a manner which is dangerous to the public or property, having regard to all the circumstances, including the nature, condition and use of the highway and the amount of traffic which actually is at the time, or which might reasonably be expected to be on the highway, shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. 2 Geo. V, c. 48, s. 11 (2): *redrafted.*

Racing.

**26.—(1)** No person shall drive a motor vehicle upon a highway in a race or on a bet or wager. 2 Geo. V, c. 48, s. 12.

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$25 and not more than \$100, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition his license or permit may be suspended for a period

not exceeding 60 days; and, for any subsequent offence, shall incur a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for any term not exceeding six months and in addition his license or permit may be suspended for any period not exceeding one year. *New.*

**27.**—(1) No vehicle other than a public vehicle equipped wholly or in part with solid tires shall be operated upon any highway at a greater rate of speed than 15 miles an hour. Vehicles with solid tires.

(2) No vehicle other than a public vehicle equipped wholly or partially with solid tires having a weight in excess of four tons including the vehicle and load shall be operated at a greater rate of speed than 12 miles per hour. Vehicles with solid tires weighing over four tons.

(3) No vehicle equipped with pneumatic tires having a weight in excess of four tons including the vehicle and load, shall be operated at a greater rate of speed than 20 miles an hour. Vehicles with pneumatic tires.

(4) No vehicle having a weight in excess of 6 tons including the vehicle and load shall be operated at a greater rate of speed than 8 miles an hour. Vehicles weighing over six tons.

(5) No public vehicle equipped wholly or in part with solid tires shall be operated upon any highway at a greater rate of speed than 20 miles per hour. Public vehicles.

(6) Any person who violates any of the provisions of this section shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition his license or permit may be suspended for any period not exceeding six months. *New.* Penalty.

**28.**—(1) The municipal corporation or other authority having jurisdiction over the highway may make regulations limiting any vehicle passing over a bridge to a speed of five miles an hour, and notice of the limit of speed fixed by such regulation legibly printed shall be posted up in a conspicuous place at each end of the bridge in the following form: Regulations limiting speed on bridges.

“Any person or persons riding or driving on or over this bridge at a faster rate than 5 miles an hour will, on conviction therefor, be subject to a fine of \$— as provided by by-law.” Form of Notice.

Penalty for  
defacing.

(2) A person who injures or interferes with such notice shall incur a penalty of not less than \$1 and not more than \$10. 2. Geo. V, c. 47, s. 10 part; 9 Geo. V, c. 54, s. 2: *redrafted*.

Defacing  
notice or  
removing  
obstruction.  
Penalty.

**29.** Any person who removes, defaces, or in any manner interferes with any notice or obstruction placed on a highway by lawful authority shall incur, for the first offence, a penalty of not less than \$25 and not more than \$100, and shall also be liable to imprisonment for any term not exceeding 30 days, and for any subsequent offence shall incur a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for any term not exceeding six months. *New*.

## PART VI.

### WEIGHT AND LOAD.

Restriction  
on weight  
of load and  
vehicle.

**30.**—(1) Subject to the provisions of subsections 2 and 3, no vehicle shall be operated and no object shall be moved upon wheels, rollers or otherwise, over or upon any highway in any municipality in excess of a total weight of ten tons, or of 7,500 pounds on any one wheel, including the vehicle, object and load, without first obtaining a permit as provided by section 31. 6 Geo. V, c. 49, s. 3 (1); 12-13 Geo. V, c. 81, s. 3.

Special  
permits up,  
to 31st Dec.,  
1925.

(2) Up to and including the 31st of December, 1925, motor vehicles which were registered with the Department prior to the 1st of January, 1923, having a gross weight in excess of ten tons may be granted special permits to carry a load not exceeding five tons. *New*.

Prohibition  
after 1st  
Jan., 1926.

(3) Unless otherwise provided by order of the Lieutenant-Governor in Council no motor vehicle having a gross weight in excess of 8 tons shall be permitted to operate on any highway on and after the 1st of January, 1926. *New*.

Prohibition  
as to use of  
flanges,  
clamps or  
ribs on  
wheels and  
restrictions  
as to weight  
on tires, etc.

(4) No vehicle shall be operated or object moved over or upon such highway which has any flange, rib, clamp or other device attached to its wheels or made a part thereof which will injure the highway, and no vehicle, object or contrivance for moving heavy loads which is equipped wholly or in part with solid tires shall be operated or moved upon or over any such highway, the weight of which, or the gross weight of which exceeds 500 lbs. upon any inch in width of tire, roller, wheel or other object and no vehicle equipped with pneumatic tires, the weight or gross weight of which exceeds 500 lbs. upon any inch in width of the tire, shall be so operated, without first obtaining such permit. 6 Geo. V, c. 49, s. 3 (2): *redrafted*.



(5) All commercial motor vehicles and public vehicles <sup>Width of</sup> equipped with solid tires and having a gross weight exceeding <sup>tires.</sup> seven tons but not exceeding nine tons shall be equipped with 12 inch tires on the rear wheels and all commercial motor vehicles and public vehicles having a gross weight exceeding 9 tons shall be equipped with 14 inch tires on the rear wheels.

(6) For the purpose of this section the width of solid rubber <sup>How ascer-</sup> or pneumatic tires shall be as stamped thereon by the manu- <sup>taind</sup> facturer and approved by the Department.

(7) Any person who violates any of the provisions of this <sup>Penalty.</sup> section shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence, a penalty of not less than \$20 and not more than \$100, and, in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months.  
*New.*

**31.**—(1) The municipal corporation or other authority having jurisdiction over the highway may, upon application <sup>Grants of</sup> in writing, grant a permit for the moving of heavy vehicles, <sup>permits.</sup> loads, objects or structures in excess of a total weight of ten tons over said highway or for operating or moving over any such highway any vehicle, object or contrivance the weight of which resting upon the surface of said highway exceeding the weight as provided by Section 30.

(2) Such permit may be general or may limit the time and the particular highway which may be used, and may contain any special conditions or provisions which may be <sup>General and</sup> deemed necessary for the protection of said highway from <sup>Limited</sup> injury, and the municipal corporation or other authority <sup>permits.</sup> may require a bond sufficient to cover the cost of repairing such possible injury to the highway.

(3) The council of any municipality may, by by-law, provide that such permit may be issued by any officer of the cor- <sup>Who may</sup> poration named therein. 6 Geo. V, c. 49, s. 3; 12-13 Geo. V, <sup>issue.</sup> c. 81 part. *Amended.*

(4) In the case of a vehicle for which a permit is required <sup>Issue of</sup> under this section in order to pass over a highway or highways <sup>permit by</sup> under the jurisdiction of two or more municipalities or other <sup>Department</sup> authorities, the permit so to do may be issued by the De- <sup>of Public</sup> partment, which permit shall be in lieu of the several permits <sup>Highways</sup>

to be otherwise obtained from the municipal corporations or other authorities, and the permit may limit the time and the particular highway or highways which may be used, and may contain any special conditions or provisions which may be deemed necessary to protect such highways from injury, and the Department may require a bond sufficient to cover the cost of repairing such possible injury to the highway. 10-11 Geo. V, c. 75, s. 4.

Responsi-  
bility for  
damages  
caused to  
highway.

(5) The owner, driver, operator or mover of any such vehicle, object or contrivance who has obtained the permit mentioned in this section shall nevertheless be responsible for all damages which may be caused to the highway by reason of the driving, operating or moving of any such vehicle, object or contrivance. 6 Geo. V, c. 49, s. 3 (3).

Prohibition  
as to carry-  
ing load on  
excess of  
permit.

**32.**—(1) No motor vehicle having a permit issued under this Act, the fee for which is based upon the weight of the vehicle and load, shall at any time when upon a public highway, carry a load in excess of that for which the permit was issued as stated upon such permit, and for which the fee therefor was estimated. 10-11 Geo. V, c. 75, s. 3 part.

Weight of  
load during  
March and  
April.

(2) During the months of March and April, commercial motor vehicles operated over or upon any highway not within a city or separated town and having a carrying capacity exceeding one half ton, if equipped wholly or in part with solid tires, and all other commercial motor vehicles having a carrying capacity exceeding one ton shall not be loaded in excess of one half the carrying capacity of such vehicle, as registered with the Department, without obtaining a permit as provided by section 31. 10-11 Geo. V, c. 75, s. 2 part. *Redrafted.*

Weight of load  
during March  
and April.

(3) During the months of March and April, a vehicle, other than a motor vehicle, operated over or upon any highway not within a city or separated town and having a carrying capacity exceeding one ton shall not be loaded in excess of 250 lbs. upon any inch in width of tire without obtaining a permit as provided by section 31.

Penalty.

(4) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit

may be suspended for any period not exceeding six months.  
*New.*

**33.**—(1) Any peace officer, who believes any vehicle to be carrying a weight in excess of the loads permitted by this Act may require the driver of such vehicle to proceed with the vehicle as loaded to the nearest adequate weighing machine, and obtain therefrom a certificate as to the weight of such vehicle and load; but the driver shall not be so required to proceed if it is necessary for him to travel more than one mile out of his way in order to reach such weighing machine. 10-11 Geo. V, c. 75, s. 2 part.

Power of  
peace officer  
to have load  
weighed.

(2) Any driver who, when so required to proceed to a weighing machine, refuses or fails to do so, shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

Penalty  
on driver;

(3) When a weighing machine cannot be reached within the prescribed distance, or in lieu of proceeding to such weighing machine, the driver of any motor vehicle shall produce forthwith an inventory showing the true weight of the truck and the goods or load thereon, verified in writing by the owner of such vehicle.

Production  
of inventory  
showing  
weight of  
truck and  
load.

(4) In lieu of proceeding to a weighing machine the weight of the load may be determined by a portable weighing device provided by the peace officer, and it shall be the duty of the driver of the vehicle to facilitate the weighing of the vehicle and load by any such device. 10-11 Geo. V, c. 75, s. 2 part.

Weighing  
device.

(5) Any person who violates any of the provisions of sub-sections 3 and 4 shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

Penalty.

**34.**—(1) Every vehicle carrying a load which overhangs the rear of the vehicle to the extent of five feet or more shall display upon such overhanging load at the extreme rear end

Overhanging  
loads.

thereof, at all times between dusk and dawn, a red light, and at all other times a red flag sufficient to indicate the projection of such load.

**Penalty.** (2) Any person who violates any of the provisions of subsection 1 shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

'Maximum load' to be painted on vehicle.

**35.—**(1) Every motor vehicle having a permit issued under this Act, the fee for which is based upon the weight of the vehicle and the load, shall have attached, to both sides of the body of the vehicle, in a clearly visible position, a sign issued by the Department showing the gross weight of the vehicle for which the permit was issued and such other information as the Department may require. Provided, however, that this section shall not apply to hearses, casket wagons, ambulances, police patrols and fire apparatus. 12-13 Geo. V, c. 81, s. 2. *Redrafted.*

**Penalty.** (2) Any person who violates any of the provisions of subsection 1 shall incur for the first offence a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10; and for any subsequent offence a penalty of not less than \$10 and not more than \$25 and in addition his license or permit may be suspended for any period not exceeding 30 days. *New.*

## PART VII.

### RULES OF THE ROAD.

**Right-of-way.**

**36.—**(1) Where a person travelling or being upon a highway in charge of a vehicle or on horseback meets another vehicle or person on horseback at a crossroad or intersection, the vehicle or horseman to the right hand of the other vehicle or horseman shall have the right of way.

Vehicles meeting others.

(2) Where a person travelling or being upon a highway in charge of a vehicle meets another vehicle, he shall turn out to the right from the centre of the road, allowing to the vehicle so met one-half of the road.

Vehicles meeting bicycles, etc.

(3) Where a person travelling or being upon a highway in charge of a vehicle meets a person travelling upon a bicycle or tricycle, the person in charge of the vehicle shall allow

the person travelling on the bicycle or tricycle sufficient room on the travelled portion of the highway to pass. 2 Geo. V, c. 47, s. 3; 7 Geo. V, c. 48, s. 2.

(4) Where a person travelling or being upon a highway in charge of a vehicle or on horseback is overtaken by a vehicle or horseman travelling at greater speed, the person so overtaken shall quietly turn out to the right and allow such vehicle or horseman to pass.

(5) Any person so overtaking another vehicle or horseman shall turn out to the left so far as may be necessary to avoid a collision with the vehicle or horseman so overtaken, and the person so overtaken shall not be required to leave more than one-half of the road free.

(6) Where a person travelling or being upon a highway on a bicycle or a tricycle is overtaken by a vehicle or horseman travelling at a greater speed, the person so overtaken shall quietly turn out to the right and allow such vehicle or horseman to pass and the person so overtaking a bicycle or tricycle shall turn out to the left so far as may be necessary to avoid a collision. 2 Geo. V, c. 47, s. 4.

(7) No person while riding on a bicycle shall attach the bicycle to or take hold of any other vehicle for the purpose of being drawn along a highway. 8 Geo. V, c. 36, s. 1.

(8) Where one vehicle is met or overtaken by another, if by reason of the weight of the load on either of the vehicles so meeting or on the vehicle so overtaken, the driver finds it impracticable to turn out, he shall immediately stop, and, if necessary for the safety of the other vehicle, and if required so to do, he shall assist the person in charge thereof to pass without damage. 2 Geo. V, c. 47, s. 5 (1).

(9) No person in charge of a vehicle shall pass, or attempt to pass, another vehicle going in the same direction on a highway, unless, and until, the travelled portion of the highway in front of, and to the left of the vehicle to be passed is safely free from approaching traffic.

(10) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

Portable  
and trac-  
tion engines  
meeting or  
overtaken  
by other  
vehicles.

**37.**—(1) Where a portable or traction engine is met or overtaken on a highway by a vehicle drawn by a horse or other animal, or by a horseman, the driver of the engine shall, if practicable, turn out to the right and give such vehicle or horseman at least one-half of the road, and shall in all cases stop and remain stationary until the vehicle or horseman has safely passed, and shall, if requested by the driver of the vehicle or by the horseman, assist such driver or horseman to pass without damage.

Stopping  
engine.

(2) Every person in charge of a portable or a traction engine, and being upon a highway and about to meet or be passed by a vehicle drawn by a horse or other animal, or by a horseman, shall stop when at a distance of not less than 50 feet from such vehicle or horseman and shall remain stationary until the vehicle or horseman shall have safely passed such engine.

Noises not  
to be made  
when  
passing  
horses, etc.

(3) It shall be the duty of the driver or of the person in charge of any such engine to see that it makes no noise by whistling or otherwise when any horse or animal is passing or is near or is about to pass the same on any highway. 2 Geo. V, c. 47, s. 5 (2, 3, 6).

Penalty.

(4) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

Requirement  
when  
approaching  
standing car.

**38.**—(1) Where a person travelling or being upon a highway in charge of a vehicle, or on a bicycle or tricycle, or on horseback or leading a horse, overtakes a street car or a car of an electric railway, operated in or near the centre of the travelled portion of the highway which is stationary for the purpose of taking on or discharging passengers, he shall not pass the car or approach nearer than six feet measured back from the rear or front entrance or exit, as the case may be, of the car on the side on which passengers are getting on or off until such passengers have got on or got safely to the side of the street, as the case may be. 6 Geo. V, c. 46, s. 1.

Prohibition  
as to passing  
street cars  
on left-hand  
side.

(2) No person in charge of a vehicle or on a bicycle or tricycle or on horseback or leading a horse overtaking a street car or the car of an electric railway, operated in or near the centre of the travelled portion of the highway, which is stationary or in motion, shall pass on the left-hand

side of such car, having reference to the direction in which such car is travelling. But this shall not apply to a motor vehicle belonging to a municipal fire department while proceeding to a fire or answering a fire alarm call. 8 Geo. V, c. 37, s. 7; 12-13 Geo. V, c. 80, s. 6. *Amended.*

(3) Any person who violates any of the provisions of this <sup>Penalty.</sup> section shall incur for the first offence a penalty of not less than \$10, and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

**39.**—(1) Every person having the control or charge of a motor vehicle shall, when upon a highway and approaching any vehicle drawn by a horse, or a horse upon which any person is riding, operate, manage and control such motor vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of such horse and to ensure the safety and protection of any person riding or driving the same, and if going in the same direction shall signal his desire to pass and give the rider or driver an opportunity to turn out so that he may be passed with safety, and if any such horse going in the opposite direction appears to be frightened or if such person is signalled so to do, he shall stop such motor vehicle, including the motor, and shall remain stationary so long as may be necessary to allow such rider or driver to pass or until directed by him to proceed, and in case any animal ridden or driven by such rider or driver appears to be frightened, such person and the occupants of the motor vehicle shall render assistance to such rider or driver. <sup>Approaching driven or ridden horses.</sup> <sup>Duty to stop.</sup> <sup>And to assist.</sup> 2 Geo. V, c. 48, s. 16; 7 Geo. V, c. 49, s. 11.

(2) Any person who violates any of the provisions of sub-<sup>Penalty.</sup> section 1 shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

## PART VIII.

## PROHIBITIONS AND RESPONSIBILITY FOR ACCIDENTS.

Depositing  
glass, etc.,  
on highway  
prohibited.

**40.**—(1) No person shall throw or deposit or knowingly leave on a highway any glass, nails, tacks, scraps of metal or other material which may be injurious to the tires of motor vehicles, or deposit ashes or other refuse thereon while the highway is covered with snow. 8 Geo. V, c. 37, s. 6. *Amended.*

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

Duty of  
person in  
charge in  
case of  
accident.

**41.**—(1) If an accident occurs to any person on foot or horseback, or in a vehicle, or to any horse or vehicle in charge of any person, owing to the presence of a motor vehicle on a highway, the person in charge of such motor vehicle shall return to the scene of the accident and render all possible assistance and give in writing to any one sustaining loss or injury his name and address, and also the name and address of the owner of such motor vehicle, and the number of the permit. 2 Geo. V, c. 48, s. 18; 7 Geo. V, c. 49, s. 13.

Penalty.

(2) Any person who violates any of the provisions of subsection 1, shall incur for the first offence a penalty of not less than \$25 and not more than \$100, and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding 60 days; and for any subsequent offence, a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for any term not exceeding six months, and in addition his license or permit may be suspended for any period not exceeding one year. *New.*

Motor owner  
responsible.

**42.**—(1) The owner of a motor vehicle shall be responsible for any violation of this Act or of any regulation prescribed by the Lieutenant-Governor in Council, unless at the time of such violation the motor vehicle was in the possession of some person other than the owner without his consent, expressed or implied, not being a person in the employ of the owner, and the driver of a motor vehicle not being the owner shall also be responsible for any such violation. 2 Geo. V, c. 48, s. 19; 4 Geo. V, c. 36, s. 3; 7 Geo. V, c. 49, s. 14; 8 Geo. V, c. 37, s. 8.



(2) If the employer of a chauffeur is present in the motor vehicle at the time of the committing of any offence against this Act, such employer as well as the driver shall be liable to conviction for such offence. 2 Geo. V, c. 48, s. 28. Owner may be prosecuted.

**43.**—(1) When loss or damage is sustained by any person by reason of a motor vehicle on a highway, the onus of proof that such loss or damage did not arise through the negligence or improper conduct of the owner or driver of the motor vehicle shall be upon the owner or driver. Onus of disproving negligence

(2) This section shall not apply in case of a collision between motor vehicles on the highway. 2 Geo. V, c. 48, s. 23; 9 Geo. V, c. 57, s. 5. Application of section.

**44.**—(1) No person under the age of 16 years shall drive or operate a motor vehicle, and no person over the age of 16 years and under the age of 18 years shall drive or operate a motor vehicle on the highway unless and until such person has passed an examination and obtained a license as provided in this Act for a person who drives or operates a motor vehicle for hire, pay or gain. Restriction on persons of certain ages as to driving.

(2) No person shall employ or permit anyone under the age of 16 years to drive or operate a motor vehicle and no person shall employ or permit anyone over the age of 16 and under the age of 18 years to drive or operate a motor vehicle unless and until he has passed an examination and obtained a license as provided by section 17. 2 Geo. V, c. 48, s. 13; 7 Geo. V, c. 49, s. 10; 12-13 Geo. V, c. 80, s. 5. Minors

(3) Any person who violates any of the provisions of sub-sections 1 or 2 shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.* Penalty.

**45.**—(1) No person shall hire or let for hire a motor vehicle unless the person by whom such motor vehicle is to be driven is a person licensed to drive a motor vehicle as required by this Act, or is a person to whom a permit has been issued pursuant to section 3 of this Act, or is a person to whom a certificate of competency has been issued by the Minister. 9 Geo. V, c. 57, s. 4 part. Prohibition as to letting or hiring.

(2) Any person who violates any of the provisions of sub-section 1 shall incur for the first offence a penalty of not less

than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

Intoxicated  
persons not  
to drive.

**46.**—(1) No intoxicated person shall drive a motor vehicle. 2 Geo. V, c. 48, s. 14.

Penalty.

(2) Every one who, while intoxicated, drives any motor vehicle shall for the first offence be imprisoned for a term not exceeding thirty days, and not less than seven days, for a second offence for a term not exceeding three months and not less than one month, and for each subsequent offence for a term not exceeding one year and not less than three months. *New. See Criminal Code, s. 285 c.*

Drunkenness  
of driver or  
rider.

**47.** Where a person in charge of a vehicle, other than a motor vehicle, or of a horse or other animal used as a means of conveyance, travelling or being on a highway, is, through drunkenness, unable to drive or ride the same with safety to other persons travelling on or being upon the highway, he shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days. 2 Geo. V, c. 47, s. 6. *Redrafted.*

Racing and  
disorderly  
conduct..

**48.**—(1) No person shall race with or drive furiously any horse or other animal, or shout, or use any blasphemous or indecent language upon any highway. 2 Geo. V, c. 47, s. 7.

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months, *New.*

## PART IX.

## ARRESTS, IMPOUNDING OF MOTOR VEHICLES AND REWARDS.

**49.**—(1) Every person called upon to assist a peace officer <sup>Assisting peace officers</sup> in the arrest of a person suspected of having committed any offence mentioned in subsection 2 of this section may assist if he knows that the person calling on him for assistance is a peace officer, and does not know that there are no reasonable grounds for the suspicion.

(2) Every peace officer who, on reasonable and probable <sup>Arrests by peace officer without warrant.</sup> grounds, believes that a violation of any of the provisions of subsections 1 and 2 of section 4; subsections 1 and 3 of section 5; subsection 1 of section 6; subsection 1 of section 7; sections 25, 26, 29, 41 or 46, has been committed, whether it has been committed or not and who, on reasonable and probable grounds, believes that any person has committed such violation, may arrest such person without warrant whether such person is guilty or not.

(3) Every person may arrest without warrant any person <sup>Arresting on view.</sup> whom he finds committing any such violation. 2 Geo. V, c. 48, s. 31 (1), (2) and (3); 3-4 Geo. V, c. 52, s. 12; 7 Geo. V, c. 49, s. 19; 12-13 Geo. V, c. 80, s. 10.

(4) A peace officer or other person making an arrest without <sup>Detaining vehicle when arrest is made.</sup> warrant may detain the motor vehicle with which the offence was committed until the final disposition of any prosecution under this Act, but such motor vehicle may be released on security for its production being given to the satisfaction of a Justice of the Peace or a Police Magistrate. 2 Geo. V, c. 48, s. 32.

(5) A peace officer or other person making an arrest without <sup>Duty of person arresting without warrant.</sup> warrant shall, with reasonable diligence, take the person arrested before a Justice of the Peace or Police Magistrate to be dealt with according to law. 2 Geo. V, c. 48, s. 33.

**50.**—(1) In the event of a third or subsequent conviction <sup>Impounding motor vehicle.</sup> under sections 3, 17, 25, 26, 29, 41, 44, or 46, the motor vehicle driven by the person convicted at the time of committing the offence of which he was convicted, shall be seized, impounded, and taken into the custody of the law for a period of three months.

(2) Such motor vehicle shall be stored where the convicting <sup>Storage of vehicles and lien therefor.</sup> Police Magistrate or Justice of the Peace shall direct, and all costs and charges for the care or storage thereof shall be a

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lien upon such motor vehicle, and the same may be enforced in the manner provided by *The Mechanics' and Wage-Earners' Lien Act*.

Release of  
vehicle on  
security.  
given by  
owner.

(3) If the person so convicted gives sufficient security to the convicting Police Magistrate or Justice of the Peace, by bond, recognizance, or otherwise, that such motor vehicle shall not be operated upon any highway during such period of three months, the same may be delivered to the person so convicted or the owner thereof, and if such motor vehicle is operated upon a highway during such period, it shall be deemed to be operated without a permit. 2 Geo. V, c. 48, s. 27 (1), (2) and (3); 3-4 Geo. V, c. 52, s. 10.

Municipal  
by-laws  
inconsistent.

**51.**—Any by-laws passed by any municipal corporation or board of police commissioners or police trustees for regulating traffic on the highways which are inconsistent with the provisions of this Act, shall be deemed to be repealed, and hereafter all such by-laws shall be submitted to the Department for approval and shall not become operative until the Department shall have approved of same. 7 Geo. V, c. 48, s. 3.

Reward on  
conviction  
of person  
stealing  
motor  
vehicle.

**52.**—(1) By-laws may be passed by the councils of all municipalities for paying, on the conviction of the offender and on the order of the Judge or Police Magistrate before whom the conviction is had, a reward of not less than twenty dollars to any person who pursues and apprehends, or causes to be apprehended, any person stealing a motor vehicle within the municipality.

Amount  
payable.

(2) The amount payable shall be in the discretion of the Judge or Police Magistrate, but shall not exceed the amount fixed by the by-law. 9 Geo. V, c. 57, s. 7.

## PART X.

### PROCEDURE, PENALTIES AND CONVICTION

Time limit  
for serving  
summonses

**53.** A summons issued for a violation of any of the provisions of this Act shall be served within 10 days of the alleged offence, provided, however, that the time for serving such summons may be extended by the presiding Magistrate on sufficient evidence being adduced to show that the person summonsed could not be served within the time specified.

Time limit  
for  
instituting  
civil actions.

**54.**—(1) No action shall be brought against a person for the recovery of damages occasioned by a motor vehicle after the expiration of six months from the time when the damages were sustained.

(2) All such actions for damages, other than those brought for the recovery of damages for bodily injury to person, shall be tried by a Judge without the intervention of a jury.  
*New.*

**55.**—(1) The Lieutenant-Governor in Council may, on the recommendation of the Minister, appoint special or temporary officers for enforcing and carrying out the provisions of this Act, and such officers shall be under the direction and control of the Minister. 3-4 Geo. V, c. 52, s. 1; 12-13 Geo. V, c. 80, s. 2.

(2) Such salaries, allowances and expenses for the purposes mentioned in subsection (1) shall be payable out of any sum appropriated by this Legislature for the purposes mentioned in subsection (1). 3-4 Geo. V, c. 52, s. 12.

**56.** The penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*. 2 Geo. V, c. 47, s. 14.

**57.** No penalty or imprisonment shall be a bar to the recovery of damages by the injured person. 2 Geo. V, c. 47, s. 12.

**58.** Every penalty when collected shall be paid to the treasurer of the local municipality in which the offence was committed, if the offence was committed on other than a Provincial highway, and shall be applied to the general purposes thereof. If the offence was committed on a Provincial highway, the penalty, when collected, shall be paid to the Department. 2 Geo. V, c. 47, s. 13. *Redrafted.*

**59.**—(1) A Police Magistrate or Justice of the Peace who makes a conviction under this Act, shall, if the offence was committed by an owner or driver of a motor vehicle, forthwith certify the same to the Minister, setting out the name, address and description of the person so convicted, the number of the permit of the motor vehicle with which the offence was committed, the number of the section of the Act contravened and the time the offence was committed, and if such offence was committed by a person licensed under section 17 also the number of the license and the name, address and description of his employer, and if three such convictions for an offence against subsections (1) or (3) of section 5, subsection (1) of section 7, or sections 25, 26, 29, 41 or 46 are made against the same person, the permit of the motor vehicle with which the offence, for which such third conviction was made, was committed, or the license

issued under section 17, or both, may be cancelled and the offender shall not be entitled to a permit or license for a period of two years thereafter.

Costs of  
certificate.

(2) The Police Magistrate or Justice of the Peace shall be entitled to add to the costs of the conviction twenty-five cents for his costs of the certificate.

(3) A copy of the certificate, certified by the Minister or Deputy Minister or Registrar of Motor Vehicles, under the seal of the Department, shall be *prima facie* evidence of the conviction. 2 Geo. V, c. 48, s. 26. *Amended.*

When owner  
may appear  
before  
Justice of  
the Peace.

**60.**—(1) If any owner of a motor vehicle is served with a summons to appear in a county other than that in which he resides for an offence against this Act, and his defence is that neither he nor his motor vehicle was at the place of the alleged offence at the time such offence occurred, and that the summons must have been issued against him through an error of the informant as to the number on the official number plate, then and in that case only he may appear before a Justice of the Peace in the county in which he resides and in the same manner as if he were being tried for an offence against this Act, give evidence by himself and corroborated by the evidence of at least two other credible witnesses that neither he nor his motor vehicle was at the place of the alleged offence at the time such offence occurred, and that the summons must have been issued against him through an error of the informant as to the number on the official number plate.

Certificate.

(2) The said Justice, if satisfied of the truth of such evidence, shall forthwith make out a certificate in the form set out as Schedule "A" to this Act, and forward the same by registered letter post to the Justice before whom the summons is returnable.

Costs.

(3) The costs of a Justice for hearing such evidence and for giving such certificate shall be \$1.25, which shall be payable forthwith by the defendant.

Dismissal of  
or adjourn-  
ment.

(4) The Justice before whom the summons is returnable shall, upon receiving such certificate, thereupon dismiss the charge unless he has reason to believe that the testimony is untrue in whole or in part, in which case he may adjourn the case and again summon the defendant, who shall then be required to attend before him at the place and time mentioned in the summons. 8 Geo. V, c. 37, s. 10.

**61.** Any person who violates any of the provisions of this Act or of any Regulation made thereunder where a penalty for the violation is not provided for herein, shall incur for the first offence, a penalty of not more than \$10; for the second offence a penalty of not more than \$20; and for the third offence a penalty of not more than \$30 and for any subsequent offence a penalty of not more than \$50. 2 Geo. V, c. 48, s. 29; 3-4 Geo. V, c. 52, s. 11.

**62.** Whenever a person is convicted of a violation of any of the provisions of this Act, and the penalty imposed, wholly or in part, is imprisonment, the driver or operator of the vehicle at the time of such violation shall be liable to such imprisonment.

**63.** Any person who operates a motor vehicle while the permit for same is suspended and any chauffeur who operates a motor vehicle while his license is suspended shall incur for the first offence a penalty of not less than \$25 and not more than \$100 and shall also be liable for imprisonment for a term not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for a term not exceeding six months.

**64.** Any pecuniary penalty imposed under this Act shall, until paid, be and remain a first charge against the vehicle with or in which the offence was committed. *New.*

## PART XI.

### TRACTION ENGINES ON HIGHWAYS.

**65.**—(1) Traction engines, not exceeding 20 tons in weight, may be used upon any highway subject to the provisions of this Part.

(2) The speed of a traction engine shall at no time in cities, towns and villages, exceed the rate of 3 miles an hour, or elsewhere the rate of 6 miles an hour.

(3) The width of the driving wheels of all such engines shall be at least 12 inches and the wheels of the trucks or waggons drawn thereby shall be at least 4 inches in width for the first 2 tons capacity, load and weight of truck included, and at least an additional  $\frac{1}{2}$  inch for each additional ton.

**66.**—(1) Before it shall be lawful to run such engine over any highway, the person proposing to run the same shall,

at his own expense, strengthen all bridges and culverts to be crossed by such engine, and keep the same in repair so long as the highway is so used.

Owners of different engines to contribute.

(2) The cost of such repairs shall be borne by the owners of different engines in proportion to the number of engines run over such bridges or culverts.

Certain threshing engines not affected.

(3) The two preceding subsections shall not apply to engines of less than ten tons in weight, used for threshing purposes or for machinery for the construction of roadways.

Planks to be laid on surface of bridge.

(4) Before crossing any such bridge or culvert the person proposing to run any traction engine shall lay down on such bridge or culvert planks of sufficient width and thickness to fully protect the flooring or surface of such bridge or culvert from any injury that might otherwise result thereto from the contact of the wheels of such engine; and in default thereof the person in charge and his employer, if any, shall be liable to the corporation of the municipality for all damage resulting to the flooring or surface of such bridge or culvert. 2 Geo. V, c. 53, ss. 2-5. *Amended.*

Penalty for contravening Act. Rev. Stat. c. 90.

**67.**—Any person who violates any of the provisions of this Part shall incur a penalty of not less than \$5 and not more than \$25 recoverable under *The Ontario Summary Convictions Act*. 2 Geo. V, c. 53, s. 11.

Repeal.

**68.** The following Acts and parts of Acts, namely:—

- (a) *The Motor Vehicles Act*, being Chapter 207 of the Revised Statutes of Ontario, 1914.
- (b) 4 Geo. V, Chapter 36.
- (c) *The Motor Vehicles Amendment Act, 1916*; (6 Geo. V, c. 47).
- (d) *The Motor Vehicles Amendment Act, 1917*; (7 Geo. V, c. 49).
- (e) *The Motor Vehicles Amendment Act, 1918*; (8 Geo. V, c. 37).
- (f) 9 Geo. V, Chapter 57.
- (g) *The Motor Vehicles Amendment Act, 1920*; (10-11 Geo. V, c. 74).
- (h) *The Motor Vehicles Amendment Act, 1921*; (11 Geo. V, c. 72).



- (i) *The Motor Vehicles Amendment Act, 1922*; (12-13 Geo. V, c. 80).
  - (j) *The Load of Vehicles Act, 1916*; (6 Geo. V, c. 49).
  - (k) 9 Geo. V, Chapter 59.
  - (l) *The Load of Vehicles Amendment Act, 1920*; (10-11 Geo. V, c. 75).
  - (m) *The Load of Vehicles Amendment Act, 1922*; (12-13 Geo. V, c. 81).
  - (n) *The Highway Travel Act*; being Chapter 206 of the Revised Statutes of Ontario, 1914;
  - (o) 6 Geo. V, Chapter 46.
  - (p) 7 Geo. V, Chapter 48.
  - (q) 8 Geo. V, Chapter 36.
  - (r) *The Traction Engines Act*; being Chapter 212 of the Revised Statutes of Ontario, 1914,
- are hereby repealed.

**69.** This Act shall come into force on the day upon which it receives the Royal assent. Commence-  
ment of Act.

## SCHEDULE "A"

*Certificate of Justice referred to in Section 60*

I (*name of Justice*), a Justice of the Peace in and for the County of \_\_\_\_\_ hereby certify

1. That (*name of defendant*), of the \_\_\_\_\_ of \_\_\_\_\_ in the county of \_\_\_\_\_ (occupation), this day day appeared before me and produced to me a summons issued by (*name of Justice issuing summons*), a Justice of the Peace in and for the county of \_\_\_\_\_, for an offence against *The Highway Traffic Act, 1923*, said to have been committed with respect to a car bearing the official number plate number \_\_\_\_\_ for this year, said offence being alleged to have been committed on the \_\_\_\_\_ of \_\_\_\_\_ in the county of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_

2. That the said (*name of defendant*) has deposed before me that neither he nor his motor vehicle was at the said place on the said day of \_\_\_\_\_ 19\_\_\_\_, and that the summons must have been issued against him through an error of the informant as to the number on the official number plate, and his testimony in this respect has been corroborated by the testimony of two credible witnesses, namely (here insert the name of two witnesses).

3. The depositions of the said defendant and of the witnesses in paragraph two of this certificate referred to are attached hereto.

4. That I am satisfied of the truth of the testimony given before me this day by (*name of defendant and two witnesses*), and give this certificate in pursuance of subsection (2) of section 60 of *The Highway Traffic Act, 1923*.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ J.P.

*Note.*—Attach depositions of defendant and witnesses to this certificate).



No. 72.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to regulate Travel on Highways  
and the Speed, Operation and Load  
of Vehicles thereon.

1st Reading,	31st January, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. BIGGS.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to regulate Travel on Highways, and the Speed, Operation and Load of Vehicles thereon.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## PRELIMINARY.

1. This Act may be cited as *The Highway Traffic Act, 1923*. Short title *New*.
2. In this Act,—
 

	Interpreta- tion.
(a) "Chauffeur" shall mean any person who operates a motor vehicle and receives compensation therefor;	"Chauffeur."
(b) "Commercial Motor Vehicle" shall mean any motor vehicle having permanently attached thereto a truck or delivery body and shall include ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.	"Com- mercial Motor Vehicle."
(c) "Department" shall mean "Department of Public Highways;"	"Depart- ment."
(d) "Garage" shall mean every place or premises where motor vehicles are received for housing, storage, or repairs for compensation;	"Garage."
(e) "Gross Weight" shall mean the combined weight of vehicle and load; <i>New</i> .	"Gross Weight."
(f) "Highway" shall include a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passages of vehicles; 2 Geo. V, c. 48, s. 2 (a): <i>redrafted</i> .	"Highway."

- "Minister" (g) "Minister" shall mean Minister of Public Highways; *New.*
- "Motor Vehicle." (h) "Motor Vehicle" shall include automobile, motor bicycle, and any other vehicle propelled or driven otherwise than by muscular power; but shall not include the cars of electric or steam railways, or other motor vehicles running only upon rails or a traction engine within the meaning of this Act; 2 Geo. V, c. 48, s. 2 (b): *amended.*
- "Operator." (i) "Operator" shall mean any person other than a chauffeur who operates a motor vehicle on a highway; *New.*
- "Peace officer." (j) "Peace Officer" shall include a mayor, warden, reeve, sheriff, deputy sheriff, sheriff's officer, justice of the peace, gaoler or keeper of a prison, and a police officer, police constable, bailiff, constable or other person employed for the preservation and maintenance of the public peace, or for the service or execution of civil process, or any officer appointed for enforcing or carrying out the provisions of this Act; 2 Geo. V, c. 48, s. 2 (c): *redrafted.*
- "Public vehicle." (k) "Public vehicle" shall mean a motor vehicle operated by or on behalf of a person carrying on upon the public highway, the business of a public carrier of passengers and express freight which might be carried in a passenger vehicle, and operating over a stated route or between fixed termini or at stated intervals, but shall not apply to the cars of electric or street railways operating on the public highway;
- "Solid tires." (l) "Solid tires" shall mean all tires other than pneumatic tires;
- "Trailer." (m) "Trailer" shall mean any vehicle which is at any time drawn upon a highway, by a motor vehicle, except an implement of husbandry, temporarily drawn, propelled, or moved upon such highway, and except a side car attached to a motorcycle;
- "Vehicle." (n) "Vehicle" shall include motor vehicle, trailer, traction engine and any vehicle drawn, propelled, or driven by any kind of power, including muscular power but not including the cars of electric or steam railways running only upon rails. *New.*

## PART I.

## REGISTRATION AND PERMITS.

3.—(1) The owner of every motor vehicle shall register the same with the Department before driving or operating or causing the same to be driven or operated upon a highway and shall pay to the Department, a fee for the registration of such motor vehicle and for the number plates therefor and, on failure to do so, shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence, a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and, for any subsequent offence, shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days. 2 Geo. V, c. 48, s. 3 part; 6 Geo. V, c. 47, s. 3 part: *redrafted*.

(2) The Department shall issue for each motor vehicle so registered a numbered permit stating that such motor vehicle is registered in accordance with this Act, and shall cause the name of such owner, his address and the number of his permit, to be entered in a book to be kept for such purpose. 2 Geo. V, c. 48, s. 3 part; 6 Geo. V, c. 47, s. 3: *amended*.

(3) The Minister may give authority to any person to issue permits for motor vehicles and may define the duties and powers of such person, and, where the salary is not otherwise provided, may authorize and fix the fee to be retained by the person so authorized for each permit issued. 7 Geo. V, c. 49, s. 2: *amended*.

(4) Declarations or affidavits in connection with the issuance of permits and licenses under this Act or required by the Department in that regard, may be taken before any person having authority to administer oaths or before any person specially authorized for that purpose by the Lieutenant-Governor in Council, but any person so specially authorized shall not charge any fee therefor. 6 Geo. V, c. 47, s. 4: *amended*.

(5) The Lieutenant-Governor in Council may make regulations regarding the renewal and transfer of such permits, the payment of fees therefor, the amount and time of payment of such fees, and also the registration and operation of motor vehicles owned by manufacturers or dealers and not kept by them for private use. 2 Geo. V, c. 48, s. 3 part: *amended*.

4.—(1) Any person who knowingly makes any false statement of fact in any application, declaration, affidavit or paper-writing required by this Act or by the regulations

or by the Department in order to procure the issuance to him of a license, permit or certificate of registration shall in addition to any other penalty or punishment to which he may be liable incur, for the *first* offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. 8 Geo. V, c. 37, s. 3: *amended*.

Notice of  
change of  
address.

(2) Where an owner changes his address as given under subsection 2 of section 3 he shall within six days send by registered letter or cause to be filed in the Department his change of address, and every subsequent change of address, and on failure to do so shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. 8 Geo. V, c. 37, s. 2: *redrafted*.

No permit  
where serial  
number  
obliterated.

Proof of  
ownership of  
vehicle  
where serial  
number is  
obliterated.

(3) No permit shall be issued for a motor vehicle where the manufacturer's serial number or similar identifying mark has been obliterated or defaced, until the owner has filed with the Department satisfactory proof of the ownership of the vehicle, and, if known, the reason for such obliteration or defacement. If satisfied as to the statements made, the Minister may grant permission to cut, impress, emboss, or attach permanently to such vehicle a special identification number or mark which thereafter shall be deemed sufficient for the purpose of registration of such vehicle. 12-13 Geo. V, c. 80, ss. 8-9: *redrafted*.

Number  
plate on  
front and  
back of  
other motor  
vehicles  
showing  
number of  
permit.

5.—(1) Every motor vehicle other than a motor bicycle, while being driven on a highway, shall have attached to and exposed on the front and back thereof, in a conspicuous position, a number plate furnished by the Department showing in plain figures the number of the permit issued for the current year. 2 Geo. V c. 48, s. 8 part; 4 Geo. V, c. 36, s. 4; 6 Geo. V, c. 47, s. 3; 7 Geo. V, c. 49, s. 5: *redrafted*.

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of



not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. *New.*

(3) The number plate on the front shall be as far forward <sup>Position of</sup> and as high from the ground as may be necessary to render <sup>number</sup> it distinctly visible, and the number plate on the back shall <sup>plate.</sup> be so placed that the lower edge thereof shall not be lower than the body of the motor vehicle; provided that this subsection, so far as relating to the position of the number plate on the back shall not apply to motor trucks or other motor vehicles for the delivery of goods. 2 Geo. V, c. 48, s. 8 part; 4 Geo. V, c. 36, s. 1: *amended.*

(4) Any person who violates any of the provisions of sub- <sup>Penalty.</sup> section 3 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.*

(5) A motor bicycle while being driven on a highway shall have exposed on the front and back thereof a number <sup>Number</sup> plate furnished by the Department showing in plain figures, <sup>plate on</sup> not less than two inches in height, the number of the permit <sup>motor</sup> of such motor bicycle. The number plate on the front <sup>bicycle.</sup> shall show the number of the permit on both sides and shall be fixed so that the number is plainly visible from either side of the motor bicycle. 7 Geo. V, c. 49, s. 4 (1) part: *amended.*

(6) Any person who violates any of the provisions of sub- <sup>Penalty.</sup> section 5 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.*

**6.—(1) Any person who**

- (a) defaces or alters any number plate furnished by <sup>Number</sup> the Department, or <sup>plates,</sup>
- (b) uses or permits the use of a defaced or altered number plate or a number plate issued by the

Department for any other motor vehicle upon any motor vehicle owned by him, or

- (c) without the authority of the owner removes a number plate from a motor vehicle or attaches thereto a number plate not issued for such motor vehicle by the Department, or

Notice of  
sale of  
motor  
vehicle.

- (d) does not within six days forward a notice to the Department of the sale or transfer by or to him of a motor vehicle for which a permit has been issued,

shall incur for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. 7 Geo. V, c. 49, s. 8; 10-11 Geo. V, c. 74, ss. 2-3; 11 Geo. V, c. 72, s. 4: *redrafted*.

Number  
plates to be  
property of  
Crown.

(2) Every number plate furnished by the Department under this Act shall be and remain the property of the Crown and shall be returned to the Department whenever required by the Department, and any person failing to so return the number plate without reasonable excuse shall incur, for the first offence, a penalty of not less than \$5; and for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition, his license or permit may be suspended for any period not exceeding 30 days, and the Minister may also for such failure refuse to issue a license or permit to such person. 8 Geo. V, c. 37, s. 5: *redrafted*.

No other  
numbers to  
be exposed.

7.—(1) No number other than that upon the number plate furnished by the Department shall be exposed on any part of a motor vehicle in such a position or manner as to confuse the identity of the number plate. 2 Geo. V, c. 48, s. 9 (1); 6 Geo. V, c. 47, s. 5 (3): *redrafted*.

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition his license or permit may be suspended for any period not exceeding 30 days. *New*.

(3) The number plates shall be kept free from dirt and obstruction and shall be so affixed that the numbers thereon may be at all times plainly visible, and the view thereof shall not be obscured or obstructed by spare tires, bumper bars, or by any part of the motor vehicle or attachments thereto, or by the load carried. 2 Geo. V, c. 48, s. 9 (2); 11 Geo. V, c. 72, s. 2.

Numbers to  
be kept  
clean.

(4) Any person who violates any of the provisions of subsection 3 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.*

Penalty.

8. Any peace officer who has reason to believe that a motor vehicle is carrying number plates which were not issued for it, or which although issued for it were obtained by false pretences, may take possession of such number plates and retain them until the facts as to the carrying of such number plates have been determined. 12-13 Geo. V, c. 80, s. 8.

Improper  
number  
plates.

9.—(1) The provisions of sections 3, 5, and subsection 1 of section 7 shall not apply to a motor vehicle owned by any person who does not reside or carry on business in Ontario for more than three consecutive months in each year, if the owner thereof is a resident of some other Province of Canada, and has complied with the provisions of the law of the Province in which he resides as to registration of a motor vehicle and the display of the registration number thereon. 3-4 Geo. V, c. 52, s. 3 part; 7 Geo. V, c. 49, s. 9.

Exceptions  
as to resi-  
dents of  
other  
Provinces.

(2) The provisions of sections 3, 5, and subsection 1 of section 7 and subsection 1 of section 17 and the Regulations made by the Lieutenant-Governor in Council in pursuance of subsection 5 of section 3 shall not apply to residents of Countries or States which grant similar exemptions and privileges with respect to motor vehicles registered under the laws of, and owned by residents of Ontario; provided, however, that this subsection shall not apply to commercial vehicles or vehicles used by non-resident corporations doing business in Ontario or to motor vehicles operated under dealers' or manufacturers' permits or licenses, save and except that the provisions of subsection 1 of section 17 shall not apply to drivers of any such motor vehicles and provided, further, that the exemptions granted by this subsection shall not be valid for a period of residence in Ontario in excess of 30 days in any one year. 6 Geo. V, c. 47, s. 6: *redrafted.*

Exceptions  
as to resi-  
dents of  
foreign  
countries.

## PART II.

## REQUIREMENTS AS TO EQUIPMENT.

- Lamps.**      **10.**—(1) Whenever on a highway after dusk and before dawn, every motor vehicle shall carry three lighted lamps in a conspicuous position, one on each side of the front, which shall cast a white, green or amber coloured light only, and one on the back of the vehicle, which shall cast from its face a red light only, except in the case of a motor bicycle without a side car, which shall carry one lamp on the front which shall cast a white light only and one on the back of the vehicle which shall cast from its face a red light only. Any lamp so used shall be clearly visible at a distance of at least two hundred feet. 7 Geo. V, c. 49, s. 3; 12-13 Geo. V, c. 80, s. 4: *redrafted*.
- Strength of front lamps.**      (2) No motor vehicle shall carry on the front thereof more than three lighted lamps of over four candle power and additional lights displayed on the front of commercial vehicles to distinguish the width or class of such vehicle shall be green in colour only and of not more than four candle power.
- Penalty.**      (3) Any person who violates any of the provisions of subsections 1 or 2 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New*.
- Fire Dept. vehicle lamps.**      (4) In the case of a motor vehicle belonging to a municipal fire department the lamps on the front may cast a red light only or such other colour of light as may be designated by by-law of the municipality approved by the Department. 12-13 Geo. V, c. 80, s. 4 part: *amended*.
- Bicycles and tricycles.**      (5) Whenever on a highway after dusk and before dawn, every bicycle or tricycle shall carry on the back thereof a red lamp *lighted* or red reflector so placed as to be clearly visible to drivers of vehicles approaching from the rear.
- Penalty.**      (6) Any person who violates any of the provisions of subsection 5 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25.

(7) The lamp on the back of a *motor vehicle* shall be of at least four candle power and shall be so placed that it will illuminate at all times between dusk and dawn the numbers on the said number plate, or if provision is made on the number plate or on any attachment furnished or required by the Department for affixing such lamp, it shall be affixed in the position or space provided. Such lamp shall face to the rear and reflect on the number plate a white light only. Rear lamps to illuminate number plate.

(8) Any person who violates any of the provisions of sub-section 7 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition, his license or permit may be suspended for any period not exceeding 60 days. Penalty.



(9) A motor vehicle while standing upon any highway at such times as lights are required by the provisions of this section for such vehicle may, in lieu of the lighting equipment specified in this section, show one light carried on the left side of the car in such a manner as to be clearly visible to the front and rear for a distance of at least two hundred feet and to show white to the front and red to the rear of the vehicle, provided, however, that such light shall not be displayed while the motor vehicle is in motion. *New.* Parking lights.

(10) It shall be unlawful to carry on a motor vehicle any lighting device of over four candle power, equipped with a reflector, unless the same shall be so designed, deflected or arranged that no portion of the parallel beam of reflected light when measured seventy-five feet or more ahead of the lamp shall rise above 42 inches from the level surface on which the vehicle stands. 7 Geo. V, c. 49, s. 7 (1); 10-11 Geo. V, c. 74, s. 2. Prohibition as to strength of light with reflector.

(11) Any device for the elimination of glare, approved from time to time by the Minister, when in proper adjustment, and having a lamp of candle power not in excess of that authorized by the Minister for such device, shall be held to be in conformity with the next preceding subsection. 10-11 Geo. V, c. 74, s. 2. Device for elimination of glare.

(12) Any person who violates any of the provisions of sub-sections 9 or 10 shall incur, for the first offence, a penalty of not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.* Penalty.

Prohibition  
as to use of  
certain kind  
of light.

(13) It shall be unlawful to carry on any motor vehicle on a highway any lamp which revolves upon a pivot or other device so that the rays of such light may be projected in different directions by an occupant of the vehicle *except in cases of accident or other emergency*; but this shall not prevent a motor vehicle of a municipal fire department from carrying such a lamp for use only at the actual scene of a fire, or a motor vehicle used by a public service corporation, commission, or board for locating breaks in, or trouble with, overhead wiring or a motor vehicle of the Department  used for the enforcement of the provisions of this Act.  7 Geo. V, c. 49, s. 6; 11 Geo. V, c. 72, s. 3: *redrafted*.

Spotlights.

(14) Spotlights or searchlights shall be affixed to the left side of the vehicle only and the ray of light therefrom shall be directed to the extreme right of the travelled portion of the highway in such a manner that the beam of light shall strike the extreme right of the travelled portion of the highway within seventy-five feet of the said vehicle.

Penalty.

(15) Any person who violates any of the provisions of subsections 13 or 14 shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. *New*.


Lights to be  
carried on  
engine.


(16) Every traction engine shall, after dusk and before dawn, carry a lamp in a conspicuous place in front which shall cast a *white or green* light only and one on the rear of the engine or of any vehicle which may be attached to it which shall cast from its face a red light only. 2 Geo. V, c. 47, s. 5: *redrafted*.

Penalty.

(17) Any person who violates any of the provisions of subsection 16 shall incur for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days.

Brakes.

 **11.**—(1) Every motor vehicle shall be equipped with at least two brakes in good working order, and any police constable or any officer appointed for carrying out the provisions of this Act may at any time inspect or cause an inspection to



be made of the brakes of any motor vehicle on the highway, and may, if such brakes are not in good working order, require the driver of such motor vehicle to proceed forthwith to put or have such brakes put in good working order. 

(2) Any person who violates any of the provisions of <sup>Penalty.</sup> subsection 1 shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. *New.*

**12.**—(1) Every commercial motor vehicle and public <sup>Mirror.</sup> vehicle shall be equipped with a mirror securely attached to it and placed in such a position as to afford the driver of such motor vehicle, while driving or operating the vehicle, a clear view of the roadway in the rear, or of any vehicle approaching from the rear. 9 Geo. V, c. 57, s. 2.

(2) Any person who violates any of the provisions of sub- <sup>Penalty</sup> section 1 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition, his license or permit may be suspended for any period not exceeding 30 days.

**13.**—(1) All self-propelled vehicles, other than traction <sup>Require-</sup> engines, and all trailers having a gross weight in excess of two <sup>ments as to</sup> tons, shall be equipped with rubber tires or tires of some composition equally resilient, and a vehicle shall not be operated on any highway with a tire that is broken or defective in such a manner as to cause additional impact or pounding on or cutting of the highway. In the case of motor vehicles equipped with solid rubber tires there shall be at least one and one-quarter inches of rubber between the wheel rim and the roadway.

 (2) No vehicle shall be operated or object moved over <sup>Flanges</sup> or upon any highway with any flange, rib, clamp or other <sup>and clamps.</sup> device attached to its wheels, or made a part thereof, which will injure the highway. 

(3) Any person who violates any of the provisions of *this* <sup>Penalty.</sup> section shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence, a penalty of not less than \$10 and not more than \$25; and

for any subsequent offence a penalty of not less than \$25 and not more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days. *New.*

Noise  
muffler.

**14.**—(1) Every motor vehicle shall be equipped with a noise muffler, and no contrivance for releasing such muffler shall be attached to the motor vehicle so that it may be operated from any seat in the vehicle. 9 Geo. V, c. 57, s. 2.

Unnecessary  
noise.

(2) A person having the control or charge of a motor vehicle shall not sound any bell, horn or other signalling device so as to make an unreasonable noise, and an operator or chauffeur of any motor vehicle shall not permit any unreasonable amount of smoke to escape from the said motor vehicle, nor shall such operator or chauffeur at any time, by cutting out the muffler or otherwise, cause such motor vehicle to make any unnecessary noise, provided that this subsection shall not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call. 3-4 Geo. V, c. 52, s. 5; 11 Geo. V, c. 72, s. 6.

Alarm bell  
to be  
sounded at  
crossings,  
etc.

(3) Every motor vehicle shall be equipped with an alarm bell, gong or horn, and the same shall be kept in good working order and sounded whenever it shall be reasonably necessary to notify pedestrians or others of its approach. 6 Geo. V, c. 48, s. 6 (1).

Penalty.

(4) Any person who violates any of the provisions of subsections 1, 2, or 3 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition, his license or permit may be suspended for any period not exceeding 30 days. *New.*

Sleigh bells.

**15.**—(1) Every person travelling upon a highway with a sleigh or sled drawn by a horse or other animal, shall have at least two bells attached to the harness or to the sleigh or sled in such a manner as to give ample warning sound. 2 Geo. V, c. 47, s. 8: *amended.*

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25. *New.*

Width of  
vehicle.

**16.**—(1) No vehicle, including load or contents, shall have a greater width than 96 inches, except traction engines or threshing machines which may have a total width of 110 inches, and except loads of loose fodder. 10-11 Geo. V, c. 75, s. 3: *amended.*



(2) Any person who violates any of the provisions of sub-section 1 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50. *New.* Penalty.

### PART III.

#### CHAUFFEUR'S LICENSES.

**17.**—(1) No person shall operate or drive a motor vehicle on a highway as a chauffeur unless he is licensed to do so, and no person shall employ anyone to drive a motor vehicle who is not a licensed chauffeur. 2 Geo. V, c. 48, s. 4: *amended.* Licenses for paid drivers.

(2) Any person who violates any of the provisions of sub-section 1 shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months. *New.* Penalty.

(3) Chauffeur's licenses may be issued by the Minister to such persons for such time and upon such terms and subject to such regulations and restrictions as the Lieutenant-Governor in Council may prescribe. 2 Geo. V, c. 48, s. 4; 6 Geo. V, c. 47, s. 3 part: *amended.* Terms of license.

(4) A license shall not be issued to a chauffeur unless he files with the Department certificates that he is a fit and proper person to be so licensed, having regard to his character, physical fitness, ability to drive and knowledge of the rules of the road. One of such certificates touching the applicant's character shall be furnished by the *clerk*, chief constable or Police Magistrate of the municipality in which the applicant resides, and one other certificate touching the applicant's physical fitness, ability to drive and knowledge of the rules of the road shall be furnished by an examiner appointed for that purpose by the Lieutenant-Governor in Council and residing in the municipality in which the applicant resides. 9 Geo. V, c. 57, s. 1: *amended.* Certificate from Examiner and chief constable of municipality

(5) If there is no such examiner residing in the municipality, the certificate may be signed by the examiner residing in Where no Examiner in municipality.



the municipality nearest to that in which the applicant resides. 6 Geo. V, c. 47, s. 5 (2).

**Examination** (6) Before a person is appointed an examiner he shall pass such an examination or furnish such evidence of his qualifications as the Minister shall require. *New.*

When professional driver may be disqualified.

**18.** A Police Magistrate or Justice of the Peace by whom a person is convicted of a violation of this Act, if the person convicted is required to hold a chauffeur's license and does not hold such license, may declare him disqualified to hold such a license for such time as the Police Magistrate or Justice of the Peace thinks fit and shall so report with the certificate of the conviction to the Minister. 2 Geo. V, c. 48, s. 25 (1): *amended.*

**Production of license.**

 **19.**—(1) A license must be produced by any person driving a motor vehicle as a chauffeur when demanded by a police constable or by an officer appointed for carrying out the provisions of this Act. 

**Penalty.**

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10, and for any subsequent offence a penalty of not less than \$10 and not more than \$25, and in addition, his license or permit may be suspended for any period not exceeding 30 days. *New.*

**Production of license.**



(3) A person convicted of an offence under this Act if he holds a chauffeur's license shall forthwith produce the license for the purpose of endorsement, and if he does not hold a chauffeur's license, the owner of the vehicle with, or in, which the offence was committed shall forthwith produce his permit for the purpose of endorsement. 2 Geo. V, c. 48, s. 25 (3): *redrafted.*

**Penalty.**

(4) Any person who violates any of the provisions of subsection 3 shall incur, for the first offence, a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and no more than \$50, and in addition, his license or permit may be suspended for any period not exceeding 60 days.

Endorsement of conviction on license or permit.

**20.**—(1) Police Magistrates or Justices of the Peace by whom a person is convicted of a violation of this Act shall cause particulars of the conviction to be endorsed upon the chauffeur's license or owner's permit, as the case may be, and if the penalty imposed includes the suspension of the license or permit, shall take and hold for the period of the suspension such license or permit and any badge issued therewith. *New*

 (2) Any such endorsement signed by the convicting Justice shall be *prima facie* evidence of such conviction.  Endorsement to be *prima facie* evidence.

**21.** The Minister may at any time for misconduct or violation of the provisions of this Act or of any regulation thereunder by an owner, operator or chauffeur of a motor vehicle suspend or revoke any permit or license, and during such suspension and until any such revocation shall be cancelled by the Minister no further or other license or permit shall be issued to such owner, operator or chauffeur, and the Minister may also for such misconduct or violation prohibit any person from driving a motor vehicle for a period not exceeding 2 years, and any such person who drives a motor vehicle during the prohibited period shall incur a penalty not exceeding \$500. 2 Geo. V, c. 48, s. 21; 7 Geo. V, c. 49, s. 15; 8 Geo. V, c. 37, s. 9.

Power to revoke permit or license.

Power of Minister to prohibit driving.

## PART IV.

### GARAGES AND STORAGE LICENSES.

**22.**—(1) No person shall store or deal in motor vehicles or conduct what is known as a garage business, without having been licensed so to do by the Department. License.

(2) The fee for the license shall be such as may be fixed from time to time by order of the Lieutenant-Governor in Council on the recommendation of the Minister. 11 Geo. V, c. 72, s. 6: *amended*. Fee.

(3) Every person who stores or deals in motor vehicles or conducts a garage business without a license shall incur a penalty of not less than \$10 and not more than \$50 for the first offence; not less than \$50 and not more than \$200 for the second or subsequent offence, and shall also be liable to imprisonment for a term not exceeding three months for a third or any subsequent offence. *New*. Penalty for conducting garage business without license.

(4) Any peace officer may enter into any place where motor vehicles are stored or dealt in or into any garage required to be licensed and make such investigation and inspection as he thinks proper in order to ascertain whether the provisions of this Act have been complied with. Right of entry and inspection.

(5) Any person who obstructs, molests or interferes with any such constable or officer in the performance of his duty under subsection 1 shall incur a penalty of not less than \$25 and not more than \$100 for the first offence; not less than \$100 and not more than \$300 for the second offence; and not less than \$300 and not more than \$500 and shall also be liable to imprisonment for a term not exceeding six months for the third or any subsequent offence. 12-13 Geo. V, c. 80, s. 8 part: *amended*. Penalty for interference.

Minister  
suspend or  
cancel  
license.

(6) The Minister may suspend or cancel the license issued for a garage business for misconduct or for non-compliance with or infraction of any of the provisions of this Act or of the regulations by the holder of such license or by any of his employees or for any other reason appearing to him to be sufficient.

Regulations.

(7) The Lieutenant-Governor in Council may, upon the recommendation of the Minister, make regulations controlling and governing the conduct of a garage business. 12-13 Geo. V, c. 80, s. 7 part.

Record of  
second-hand  
vehicles  
bought,  
sold, etc.

**23.**—(1) All persons who buy, sell, wreck or otherwise deal in second-hand motor vehicles shall keep a correct record of all motor vehicles bought, sold or wrecked and of such information as will enable such motor vehicles to be readily identified, and shall transmit within 6 days to the Department, on forms furnished by the Department, a statement of each motor vehicle bought, sold or wrecked by him and such information with reference thereto as may be required by the Department.

Prohibition  
as to buying  
where  
number  
obliterated.

(2) No person shall buy, sell, wreck or otherwise deal with any motor vehicle where the manufacturer's serial number or similar identifying mark has been obliterated or defaced or is not readily recognizable. 9 Geo. V, c. 57, s. 4 part: *amended.*

Defacing  
serial  
number.

(3) No person shall deface or remove the manufacturer's serial number or identifying mark from a motor vehicle or from the engine thereof. *New.*

Report to  
Department  
as to cars  
stored.

(4) Where any motor vehicle is placed in the possession of any person who repairs, buys, sells, wrecks or stores motor vehicles or conducts what is known as a garage business and the same remains in his possession for more than two weeks without good reason, such person shall forthwith, upon the expiration of the said period of two weeks make a report thereof to the Department. 9 Geo. V, c. 57, s. 4 part: *amended.*

Penalty.

(5) Any person who violates any of the provisions of this section shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100; and for any subsequent offence a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days. *New.*



## PART V.

## RATE OF SPEED.

**24.**—(1) No motor vehicle shall be driven upon any highway within a city, town or village at a greater rate of speed than twenty miles per hour; nor at a street intersection or curve where the driver of the vehicle has not a clear view of any approaching traffic at a greater rate of speed than 10 miles per hour in a city, town or village, or  $12\frac{1}{2}$  miles per hour outside a city, town, or village, but the council of a city, town or village may by by-law set apart any highway or any part thereof on which motor vehicles may be driven at a greater rate of speed for the purpose of testing the same, and may pass by-laws for regulating and governing the use of any such highway or part thereof for such purpose. The council of any city, town or village may pass a by-law prohibiting a motor vehicle from being driven at a greater rate of speed than 15 miles an hour within any public park or exhibition ground; provided that this subsection shall not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call. 9 Geo. V, c. 57, s. 3; 11 Geo. V, c. 72, s. 5: *amended*.

(2) No motor vehicle shall be driven upon any highway outside of a city, town or village at a greater rate of speed than 25 miles per hour. 9 Geo. V, c. 57, s. 3.

(3) Any person who violates any of the provisions of *this* section shall incur, for the first offence, a penalty of not less than \$5 and not more than \$50; for the second offence a penalty of not less than \$10 and not more than \$100, and in addition, his license or permit may be suspended for any period not exceeding 3 months; and for any subsequent offence shall incur a penalty of not less than \$20 and not more than \$200, and in addition his license or permit may be suspended for any period not exceeding six months. *New*.

 **25.** Notwithstanding the provisions of section 24, any person who drives a motor vehicle on a highway at a greater rate of speed than 40 miles per hour or who drives a motor vehicle on a highway recklessly or negligently, or at a speed or in a manner dangerous to the public, having regard to all the circumstances, shall incur a penalty of not less than \$10 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 60 days, and in addition his license or permit shall be suspended for any period not exceeding six months. 

Racing.

**26.**—(1) No person shall drive a motor vehicle upon a highway in a race or on a bet or wager. 2 Geo. V, c. 48, s. 12.

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur, for the first offence, a penalty of not less than \$25 and not more than \$100, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition his license or permit may be suspended for a period not exceeding 60 days; and, for any subsequent offence, shall incur a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for any term not exceeding six months and in addition his license or permit may be suspended for any period not exceeding one year. *New.*

Vehicles with solid tires.

**27.**—(1) No vehicle, other than a public vehicle, equipped wholly or in part with solid tires shall be operated upon any highway at a greater rate of speed than 15 miles an hour.

Public vehicles.

(2) No public vehicle equipped wholly or in part with solid tires shall be operated upon any highway at a greater rate of speed than 20 miles per hour.

Vehicles weighing over six tons.

(3) No vehicle having a weight in excess of 6 tons including the vehicle and load shall be operated at a greater rate of speed than 10 miles an hour.

Penalty.

(4) Any person who violates any of the provisions of this section shall incur, for the first offence, a penalty of not less than \$5 and not more than \$50; for the second offence a penalty of not less than \$10 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding *three months*; and for any subsequent offence shall incur a penalty of not less than \$20 and not more than \$200, and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

Regulations limiting speed on bridges.

**28.**—(1) The municipal corporation or other authority having jurisdiction over the highway may make regulations limiting any vehicle passing over a bridge to a speed of *not less than* five miles an hour, and notice of the limit of speed fixed by such regulation legibly printed shall be posted up in a conspicuous place at each end of the bridge in the following form:

Form of Notice.

“Any person or persons riding or driving on or over this bridge at a faster rate than — miles an hour will, on conviction therefor, be subject to a fine of \$— as provided by by-law.”

(2) A person who injures or interferes with such notice shall incur a penalty of not less than \$1 and not more than \$10. 2. Geo. V, c. 47, s. 10 part; 9 Geo. V, c. 54, s. 2: *redrafted*. Penalty for defacing.

**29.** Any person who removes, defaces, or in any manner interferes with any notice or obstruction *lawfully* placed on a highway shall incur, for the first offence, a penalty of not less than \$25 and not more than \$100, and shall also be liable to imprisonment for any term not exceeding 30 days, and for any subsequent offence shall incur a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for any term not exceeding six months. *New*. Defacing notice or removing obstruction. Penalty.


## PART VI.

### WEIGHT AND LOAD.

**30.**—(1) Subject to the provisions of subsections 2 and 3, no vehicle shall be operated and no object shall be moved upon wheels, rollers or otherwise, over or upon any highway in any municipality in excess of a total weight of ten tons, or of 7,500 pounds on any one wheel, including the vehicle, object and load, without first obtaining a permit as provided by section 31. 6 Geo. V, c. 49, s. 3 (1); 12-13 Geo. V, c. 81, s. 3 Restriction on weight of load and vehicle.

(2) Up to and including the 31st of December, 1925 motor vehicles which were registered with the Department prior to the 1st of January, 1923, having a gross weight in excess of ten tons may be granted special permits to carry a load not exceeding five tons. *New*. Special permits up to 31st Dec., 1925.

(3) Unless otherwise provided by order of the Lieutenant-Governor in Council no motor vehicle having a gross weight in excess of 8 tons shall be permitted to operate on any highway on and after the 1st of January, 1926. *New*. Prohibition after 1st Jan., 1926.

 (4) No vehicle, object or contrivance for moving loads which is equipped with tires of less than 6 inches in width shall be operated or moved upon or over any such highway, the weight of which, or the gross weight of which, exceeds 500 lbs. upon any inch in width of tire, roller, wheel or other object, and no vehicle equipped with tires of 6 inches or more in width, the weight or gross weight of which exceeds 600 lbs. upon any inch in width of the tire, shall be so operated without first obtaining a permit as provided by section 31 of this Act. Restrictions as to weight on tires, etc.

(5) Commercial motor vehicles shall not be operated upon any highway with rear tires of less than the widths specified in the following table:

TABLE.

Those having a gross weight of 4,600 lbs. or less.....	3½" tires.
More than 4,600 lbs. but not more than 5,300 lbs.....	4 " tires.
" " 5,300 " " " " 6,000 lbs.....	4½" tires.
" " 6,000 " " " " 6,700 lbs.....	5 " tires.
" " 6,700 " " " " 9,600 lbs.....	6 " tires.
" " 9,600 " " " " 11,200 lbs.....	7 " tires.
" " 11,200 " " " " 12,800 lbs.....	8 " tires.
" " 12,800 " " " " 16,000 lbs.....	10 " tires.
" " 16,000 " " " " 18,000 lbs.....	12 " tires.
More than 18,000 lbs.....	14 " tires.

How ascer-  
tained

(6) For the purpose of this section the width of solid rubber or pneumatic tires shall be as stamped thereon by the manufacturer and approved by the Department.

Penalty.

(7) Any person who violates any of the provisions of this section shall incur, for the first offence, a penalty of not less than \$10 and not more than \$50; for the second offence, a penalty of not less than \$20 and not more than \$100, and, in addition, his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200, and shall also be liable to imprisonment for any term not exceeding 30 days, and in addition, his license or permit may be suspended for any period not exceeding six months.

*New.*

Grants of  
permits.

**31.**—(1) The municipal corporation or other authority having jurisdiction over the highway may, upon application in writing, grant a permit for the moving of heavy vehicles, loads, objects or structures in excess of a total weight of ten tons over said highway or for operating or moving over any such highway any vehicle, object or contrivance the weight of which resting upon the surface of said highway exceeding the weight as provided by Section 30.

General and  
Limited  
permits.

(2) Such permit may be general or may limit the time and the particular highway which may be used, and may contain any special conditions or provisions which may be deemed necessary for the protection of said highway from injury, and the municipal corporation or other authority may require a bond sufficient to cover the cost of repairing such possible injury to the highway.

Who may  
issue.

(3) The council of any municipality may, by by-law, provide that such permit may be issued by any officer of the corporation named therein. 6 Geo. V, c. 49, s. 3; 12-13 Geo. V, c. 81 part. *Amended.*

Issue of  
permit by  
Department  
of Public  
Highways

(4) In the case of a vehicle for which a permit is required under this section in order to pass over a highway or highways under the jurisdiction of two or more municipalities or other authorities, the permit so to do may be issued by the Department, which permit shall be in lieu of the several permits



to be otherwise obtained from the municipal corporations or other authorities, and the permit may limit the time and the particular highway or highways which may be used, and may contain any special conditions or provisions which may be deemed necessary to protect such highways from injury, and the Department may require a bond sufficient to cover the cost of repairing such possible injury to the highway. 10-11 Geo. V, c. 75, s. 4.

(5) The owner, driver, operator or mover of any such vehicle, object or contrivance who has obtained the permit mentioned in this section shall nevertheless be responsible for all damages which may be caused to the highway by reason of the driving, operating or moving of any such vehicle, object or contrivance. 6 Geo. V, c. 49, s. 3 (3).


**32.**—(1) No motor vehicle having a permit issued under this Act, the fee for which is based upon the weight of the vehicle and load, shall at any time when upon a public highway, carry a load in excess of that for which the permit was issued as stated upon such permit, and for which the fee therefor was estimated. 10-11 Geo. V, c. 75, s. 3 part.

(2) During the months of March and April, commercial motor vehicles operated over or upon any highway not within a city or separated town and having a carrying capacity exceeding one half ton, if equipped wholly or in part with solid tires, and all other commercial motor vehicles having a carrying capacity exceeding one ton shall not be loaded in excess of one half the carrying capacity of such vehicle, as registered with the Department, without obtaining a permit as provided by section 31. 10-11 Geo. V, c. 75, s. 2 part. *Redrafted.*


(3) During the months of March and April, a vehicle, other than a motor vehicle, operated over or upon any highway not within a city or separated town and having a carrying capacity exceeding one ton shall not be loaded in excess of 250 lbs. upon any inch in width of tire without obtaining a permit as provided by section 31.

-(4) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit



may be suspended for any period not exceeding six months. *New.*

 (5) The council of a city or separated town may, by by-law, declare the provisions of subsections 2, 3 and 4 to be in force in respect of highways within such city or separated town.

(6) The municipal corporation or other authority having jurisdiction over any highway, may, by by-law, declare the provisions of subsections 2, 3 and 4 to extend and apply to highways under its jurisdiction during any period from the 1st of November to the 31st of May.

(7) In the case of highways under the jurisdiction of the Department, the Lieutenant-Governor in Council may, upon the recommendation of the Minister, declare the provisions of subsections 2, 3 and 4 to extend and apply during any period from the 1st of November to the 31st of May. 

Power of  
peace officer  
to have load  
weighed.

 **33.**—(1) Any police constable or any officer appointed for carrying out the provisions of this Act, who believes any vehicle to be carrying a weight in excess of the loads permitted by this Act, may require the driver of such vehicle to proceed with the vehicle as loaded to the nearest adequate weighing machine, and obtain therefrom a certificate as to the weight of such vehicle and load; but the driver shall not be so required to proceed if it is necessary for him to travel more than one mile out of his way in order to reach such weighing machine. 

Penalty  
on driver.

(2) Any driver who, when so required to proceed to a weighing machine, refuses or fails to do so, shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

Production  
of inventory  
showing  
weight of  
truck and  
load.

(3) When a weighing machine cannot be reached within the prescribed distance, or in lieu of proceeding to such weighing machine, the driver of any motor vehicle shall produce forthwith an inventory showing the true weight of the truck and the goods or load thereon, verified in writing by the owner of such vehicle.

(4) In lieu of proceeding to a weighing machine the weight <sup>Weighing device.</sup> of the load may be determined by a portable weighing device provided by the peace officer, and it shall be the duty of the driver of the vehicle to facilitate the weighing of the vehicle and load by any such device. 10-11 Geo. V, c. 75, s. 2 part.

(5) Any person who violates any of the provisions of sub- <sup>Penalty.</sup> sections 3 and 4 shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

**34.**—(1) Every vehicle carrying a load which overhangs <sup>Overhanging loads.</sup> the rear of the vehicle to the extent of five feet or more shall display upon such overhanging load at the extreme rear end thereof, at all times between dusk and dawn, a red light, and at all other times a red flag sufficient to indicate the projection of such load.

(2) Any person who violates any of the provisions of sub- <sup>Penalty.</sup> section 1 shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

**35.**—(1) Every motor vehicle having a permit issued under this Act, the fee for which is based upon the weight of the <sup>“Maximum load” to be painted on vehicle.</sup> vehicle and the load, shall have attached, to both sides of the body of the vehicle, in a clearly visible position, a sign issued by the Department showing the *maximum load* of the vehicle for which the permit was issued and such other information as the Department may require. Provided, however, that this section shall not apply to hearses, casket wagons, ambulances, police patrols and fire apparatus. 12-13 Geo. V, c. 81, s. 2. *Redrafted.*

(2) Any person who violates any of the provisions of sub- <sup>Penalty.</sup> section 1 shall incur for the first offence a penalty of not less than \$5; for the second offence a penalty of not less than \$5 and not more than \$10; and for any subsequent offence a penalty of not less than \$10 and not more than \$25 and in addition his license or permit may be suspended for any period not exceeding 30 days. *New.*

## PART VII.

## RULES OF THE ROAD.

Right-of-way.

**36.**—(1) Where *two* persons in charge of vehicles or on horseback *approach* a crossroad or intersection *at the same time*, the *person* to the right hand of the other vehicle or horseman shall have the right of way.

Vehicles meeting others.

(2) Where a person travelling or being upon a highway in charge of a vehicle meets another vehicle, he shall turn out to the right from the centre of the road, allowing to the vehicle so met one-half of the road *free*.

Vehicles meeting bicycles, etc.

(3) Where a person travelling or being upon a highway in charge of a vehicle meets a person travelling upon a bicycle or tricycle, the person in charge of the vehicle shall allow the person travelling on the bicycle or tricycle sufficient room on the travelled portion of the highway to pass. 2 Geo. V, c. 47, s. 3; 7 Geo. V, c. 48, s. 2.

Vehicles or horsemen overtaken by others.

(4) Where a person travelling or being upon a highway in charge of a vehicle or on horseback is overtaken by a vehicle or horseman travelling at greater speed, the person so overtaken shall quietly turn out to the right and allow such vehicle or horseman to pass.

Vehicles or horsemen overtaken by others.

(5) Any person so overtaking another vehicle or horseman shall turn out to the left so far as may be necessary to avoid a collision with the vehicle or horseman so overtaken, and the person so overtaken shall not be required to leave more than one-half of the road free.

Bicycles and tricycles overtaken by vehicles or horsemen.

(6) Where a person travelling or being upon a highway on a bicycle or a tricycle is overtaken by a vehicle or horseman travelling at a greater speed, the person so overtaken shall quietly turn out to the right and allow such vehicle or horseman to pass and the person so overtaking a bicycle or tricycle shall turn out to the left so far as may be necessary to avoid a collision. 2 Geo. V, c. 47, s. 4.

Bicycle not to be attached to other vehicle.

(7) No person while riding on a bicycle shall attach the bicycle to or take hold of any other vehicle for the purpose of being drawn along a highway. 8 Geo. V. c. 36, s. 1.

Driver unable to turn out is to stop.

(8) Where one vehicle is met or overtaken by another, if by reason of the weight of the load on either of the vehicles so meeting or on the vehicle so overtaken, the driver finds it impracticable to turn out, he shall immediately stop, and, if necessary for the safety of the other vehicle, and if required

so to do, he shall assist the person in charge thereof to pass without damage. 2 Geo. V, c. 47, s. 5 (1).

(9) No person in charge of a vehicle shall pass, or attempt to pass, another vehicle going in the same direction on a highway, unless, and until, the travelled portion of the highway in front of, and to the left of the vehicle to be passed is safely free from approaching traffic. Passing vehicle going in same direction

(10) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.* Penalty.

**37.**—(1) Where a portable or traction engine is met or overtaken on a highway by a vehicle drawn by a horse or other animal, or by a horseman, the driver of the engine shall, if practicable, turn out to the right and give such vehicle or horseman at least one-half of the road, and, *if requested by the driver, shall* stop and remain stationary until the vehicle or horseman has safely passed, and assist such driver or horseman to pass. Portable and traction engines meeting or overtaken by other vehicles.

(2) It shall be the duty of the driver or of the person in charge of any such engine to see that it makes no noise by whistling or otherwise when any horse or animal is passing or is near or is about to pass the same on any highway. 2 Geo. V, c. 47, s. 5 (2, 3, 6). Noises not to be made when passing horses, etc.

(3) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.* Penalty.

**38.**—(1) Where a person travelling or being upon a highway in charge of a vehicle, or on a bicycle or tricycle, or on horseback or leading a horse, overtakes a street car or a car of an electric railway, operated in or near the centre of the travelled portion of the highway which is stationary for the purpose of taking on or discharging passengers, he shall not pass the car or approach nearer than six feet measured back from the rear or front entrance or exit, as the case may be, of the car on the side on which passengers are getting on or off until such passengers have got on or got safely to the side of the street, as the case may be. 6 Geo. V, c. 46, s. 1. Requirement when approaching standing car.

Prohibition  
as to passing  
street cars  
on left-hand  
side.

(2) No person in charge of a vehicle or on a bicycle or tricycle or on horseback or leading a horse overtaking a street car or the car of an electric railway, operated in or near the centre of the travelled portion of the highway, which is stationary or in motion, shall pass on the left-hand side of such car, having reference to the direction in which such car is travelling; but this shall not apply to a vehicle belonging to a municipal fire department while proceeding to a fire or answering a fire alarm call. 8 Geo. V, c. 37, s. 7; 12-13 Geo. V, c. 80, s. 6. *Amended.*

Penalty.

(3) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not less than \$10, and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

Approaching  
driven or  
ridden  
horses.

**39.**—(1) Every person having the control or charge of a motor vehicle shall, when upon a highway and approaching any vehicle drawn by a horse, or a horse upon which any person is riding, operate, manage and control such motor vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of such horse and to ensure the safety and protection of any person riding or driving the same, and if going in the same direction shall signal his desire to pass and give the rider or driver an opportunity to turn out so that he may be passed with safety, and if any such horse going in the opposite direction appears to be frightened or if such person is signalled so to do, he shall stop such motor vehicle, including the motor, and shall remain stationary so long as may be necessary to allow such rider or driver to pass or until directed by him to proceed, and in case any animal ridden or driven by such rider or driver appears to be frightened, such person and the occupants of the motor vehicle shall render assistance to such rider or driver. 2 Geo. V, c. 48, s. 16; 7 Geo. V, c. 49, s. 11.

Duty to  
stop.

And to  
assist.

Penalty.

(2) Any person who violates any of the provisions of subsection 1 shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence

shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

## PART VIII.



### PROHIBITIONS AND RESPONSIBILITY FOR ACCIDENTS.

**40.**—(1) No person shall throw or deposit or knowingly leave on a highway any glass, nails, tacks, scraps of metal or other material which may be injurious to the tires of motor vehicles, or while the highway is covered with snow deposit ashes or other refuse thereon. 8 Geo. V, c. 37, s. 6. *Amended.*

Depositing glass, etc., on highway prohibited.

(2) Any person who violates any of the provisions of sub-section 1 shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

Penalty

 **41.**—(1) If an accident occurs on a highway, every person in charge of a vehicle who is directly or indirectly a party to the accident shall remain at or return to the scene of the accident and render all possible assistance and give in writing to any one sustaining loss or injury, his name and address, and also the name and address of the owner of such vehicle, and the number of the permit, if any. 

Duty of person in charge in case of accident

(2) Any person who violates any of the provisions of sub-section 1, shall incur for the first offence a penalty of not less than \$25 and not more than \$100, and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding 60 days; and for any subsequent offence, a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for any term not exceeding six months, and in addition his license or permit may be suspended for any period not exceeding one year. *New.*

Penalty

**42.**—(1) The owner of a motor vehicle shall be responsible for any violation of this Act or of any regulation prescribed by the Lieutenant-Governor in Council, unless at the time of such violation the motor vehicle was in the possession of some person other than the owner or his chauffeur, without the owner's consent, and the driver of a motor vehicle not being the owner shall also be responsible for any such violation. 2 Geo. V, c. 48, s. 19; 4 Geo. V, c. 36, s. 3; 7 Geo. V, c. 49, s. 14; 8 Geo. V, c. 37, s. 8. *Amended.*

Motor owner responsible.

Owner  
may be  
prosecuted.

(2) If the employer of a chauffeur is present in the motor vehicle at the time of the committing of any offence against this Act, such employer as well as the driver shall be liable to conviction for such offence. 2 Geo. V, c. 48, s. 28.

Onus of  
disproving  
negligence

**43.**—(1) When loss or damage is sustained by any person by reason of a motor vehicle on a highway, the onus of proof that such loss or damage did not arise through the negligence or improper conduct of the owner or driver of the motor vehicle shall be upon the owner or driver.

Application  
of section.

(2) This section shall not apply in case of a collision between motor vehicles on the highway. 2 Geo. V, c. 48, s. 23; 9 Geo. V, c. 57, s. 5.

Restriction  
on persons  
of certain  
ages as to  
driving.

**44.**—(1) No person under the age of 16 years shall drive or operate a motor vehicle, and no person over the age of 16 years and under the age of 18 years shall drive or operate a motor vehicle on the highway unless and until such person has passed an examination and obtained a license as provided in this Act for a person who drives or operates a motor vehicle for hire, pay or gain.

Minors

(2) No person shall employ or permit anyone under the age of 16 years to drive or operate a motor vehicle and no person shall employ or permit anyone over the age of 16 and under the age of 18 years to drive or operate a motor vehicle unless and until he has passed an examination and obtained a license as provided by section 17. 2 Geo. V, c. 48, s. 13; 7 Geo. V, c. 49, s. 10; 12-13 Geo. V, c. 80, s. 5.

Penalty.

(3) Any person who violates any of the provisions of subsections 1 or 2 shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

Prohibition  
as to letting  
or hiring.

**45.**—(1) No person shall hire or let for hire a motor vehicle unless the person by whom such motor vehicle is to be driven is a person licensed to drive a motor vehicle as required by this Act, or is a person to whom a permit has been issued pursuant to section 3 of this Act, or is a person to whom a certificate of competency has been issued by the Minister. 9 Geo. V, c. 57, s. 4 part.



Penalty

(2) Any person who violates any of the provisions of subsection 1 shall incur for the first offence a penalty of not less



than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding 60 days. *New.*

**46.**—(1) No intoxicated person shall drive a motor vehicle. Intoxicated persons not to drive.  
2 Geo. V, c. 48, s. 14.

 (2) Everyone who, while intoxicated, drives any motor Penalty. vehicle shall upon conviction for a first offence therefor be deprived of his license or permit for a period not exceeding three months; and upon conviction for a second offence therefor shall be deprived of his license or permit for a period not exceeding six months and not less than three months; and upon conviction for any subsequent offence therefor shall for a period of not less than one year and not exceeding two years receive no license or permit under this Act. 

**47.** Where a person in charge of a vehicle, other than a Drunkenness of driver or rider. motor vehicle, or of a horse or other animal used as a means of conveyance, travelling or being on a highway, is, through drunkenness, unable to drive or ride the same with safety to other persons travelling on or being upon the highway, he shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days. 2 Geo. V, c. 47, s. 6. *Redrafted.*

**48.**—(1) No person shall race or drive furiously any Racing and disorderly conduct. horse or other animal, or shout, or use any blasphemous or indecent language upon any highway. 2 Geo. V, c. 47, s. 7.

(2) Any person who violates any of the provisions of sub- Penalty. section 1 shall incur for the first offence a penalty of not less than \$10 and not more than \$50; for the second offence a penalty of not less than \$20 and not more than \$100 and in addition his license or permit may be suspended for any period not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$50 and not more than \$200 and shall also be liable to imprisonment for any term not exceeding 30 days and in addition his license or permit may be suspended for any period not exceeding six months. *New.*

## PART IX.

## ARRESTS, IMPOUNDING OF MOTOR VEHICLES AND REWARDS.

**Assisting peace officers** **49.**—(1) Every person called upon to assist a *police constable or officer appointed for carrying out the provisions of this Act*, in the arrest of a person suspected of having committed any offence mentioned in subsection 2 of this section may assist if he knows that the person calling on him for assistance is a *police constable or officer appointed for carrying out the provisions of this Act*, and does not know that there are no reasonable grounds for the suspicion.

**Arrests by peace officer without warrant.** (2) Every *police constable or officer appointed for carrying out the provisions of this Act*, who, on reasonable and probable grounds, believes that a violation of any of the provisions of subsections 1 and 2 of section 4; subsections 1 and 3 of section 5; subsection 1 of section 6; subsection 1 of section 7; sections 25, 26, 29, 41 or 46, has been committed, whether it has been committed or not and who, on reasonable and probable grounds, believes that any person has committed such violation, may arrest such person without warrant whether such person is guilty or not.

**Arresting on view.** (3) Every person may arrest without warrant any person whom he finds committing any such violation. 2 Geo. V, c. 48, s. 31 (1), (2) and (3); 3-4 Geo. V, c. 52, s. 12; 7 Geo. V, c. 49, s. 19; 12-13 Geo. V, c. 80, s. 10.

**Detaining vehicle when arrest is made.** (4) A *police constable or officer appointed for carrying out the provisions of this Act*, making an arrest without warrant, may detain the motor vehicle with which the offence was committed until the final disposition of any prosecution under this Act, but such motor vehicle may be released on security for its production being given to the satisfaction of a Justice of the Peace or a Police Magistrate. 2 Geo. V, c. 48, s. 32.

**Duty of person arresting without warrant.** (5) A *police constable or officer appointed for carrying out the provisions of this Act*, making an arrest without warrant shall, with reasonable diligence, take the person arrested before a Justice of the Peace or Police Magistrate to be dealt with according to law. 2 Geo. V, c. 48, s. 33.

**Impounding motor vehicle.** **50.**—(1) In the event of a third or subsequent conviction under sections 3, 17, 25, 26, 29, 41, 44, or 46, the motor vehicle driven by the person convicted at the time of committing the offence of which he was convicted, shall be seized, impounded, and taken into the custody of the law for a period of three months.

**Storage of vehicles and lien therefor.** (2) Such motor vehicle shall be stored where the convicting Police Magistrate or Justice of the Peace shall direct, and all costs and charges for the care or storage thereof shall be a

lien upon such motor vehicle, and the same may be enforced <sup>Rev. Stat. c. 140.</sup> in the manner provided by *The Mechanics' and Wage-Earners' Lien Act*.

(3) If the person so convicted gives sufficient security to <sup>Release of vehicle on security given by owner.</sup> the convicting Police Magistrate or Justice of the Peace, by bond, recognizance, or otherwise, that such motor vehicle shall not be operated upon any highway during such period of three months, the same may be delivered to the person so convicted or the owner thereof, and if such motor vehicle is operated upon a highway during such period, it shall be deemed to be operated without a permit. 2 Geo. V, c. 48, s. 27 (1), (2) and (3); 3-4 Geo. V, c. 52, s. 10.

**51.**—Any by-laws passed by any municipal corporation <sup>Municipal by-laws inconsistent</sup> or board of police commissioners or police trustees for regulating traffic on the highways which are inconsistent with the provisions of this Act, shall be deemed to be repealed, and hereafter all by-laws *for regulating traffic on highways* shall be submitted to the Department for approval and shall not become operative until the Department shall have approved of same. 7 Geo. V, c. 48, s. 3.

**52.**—(1) By-laws may be passed by the councils of all municipalities for paying, on the conviction of the offender <sup>Reward on conviction of person stealing motor vehicle.</sup> and on the order of the Judge or Police Magistrate before whom the conviction is had, a reward of not less than twenty dollars to any person who pursues and apprehends, or causes to be apprehended, any person stealing a motor vehicle within the municipality.

(2) The amount payable shall be in the discretion of the Judge or Police Magistrate, but shall not exceed the amount <sup>Amount payable.</sup> fixed by the by-law. 9 Geo. V, c. 57, s. 7.

## PART X.

### PROCEDURE, PENALTIES AND CONVICTION

**53.** A summons issued for a violation of any of the provisions of this Act shall be served within 10 days of the alleged offence, provided, however, that the time for serving such summons may be extended by the presiding Magistrate on sufficient evidence being adduced to show that the person summonsed could not be served within the time specified. <sup>Time limit for serving summonses</sup>

**54.** No action shall be brought against a person for the recovery of damages occasioned by a motor vehicle after the expiration of six months from the time when the damages were sustained. <sup>Time limit for instituting civil actions.</sup>

Appoint-  
ment of  
Officers.

**55.**—(1) The Lieutenant-Governor in Council may, on the recommendation of the Minister, appoint permanent, special or temporary officers for enforcing and carrying out the provisions of this Act, and such officers shall be under the direction and control of the Minister. 3-4 Geo. V, c. 52, s. 1; 12-13 Geo. V, c. 80, s. 2.

Salaries and  
expenses of  
constables,  
etc.

(2) Such salaries, allowances and expenses for the purposes mentioned in subsection (1) shall be payable out of any sum appropriated by this Legislature for the purposes mentioned in subsection (1). 3-4 Geo. V, c. 52, s. 12.

Recovery.  
Rev. Stat.  
c. 30.

**56.** The penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*. 2 Geo. V, c. 47, s. 14.

Right to  
damages  
reserved.

**57.** No penalty or imprisonment shall be a bar to the recovery of damages by the injured person. 2 Geo. V, c. 47, s. 12.

Application  
of penalties.

**58.** Every penalty when collected shall be paid to the treasurer of the local municipality in which the offence was committed, if the offence was committed on other than a Provincial highway, and shall be applied to the general purposes thereof. If the offence was committed on a Provincial highway, the penalty, when collected, shall be paid to the Department. 2 Geo. V, c. 47, s. 13. *Redrafted.*

Justice to  
certify con-  
viction to  
Minister.

**59.**—(1) A Police Magistrate or Justice of the Peace, who makes a conviction under this Act, shall, if the offence was committed by an owner or driver of a motor vehicle, forthwith certify the same to the Minister, setting out the name, address and description of the person so convicted, the number of the permit of the motor vehicle with which the offence was committed, the number of the section of the Act contravened and the time the offence was committed, and if such offence was committed by a person licensed under section 17 also the number of the license and the name, address and description of his employer, and if three such convictions for an offence against subsections (1) or (3) of section 5, subsection (1) of section 7, or sections 25, 26, 29, 41 or 46 are made against the same person, the permit of the motor vehicle with which the offence, for which such third conviction was made, was committed, or the license issued under section 17, or both, may be cancelled and the offender shall not be entitled to a permit or license for a period of two years thereafter.

(2) The Police Magistrate or Justice of the Peace shall be entitled to add to the costs of the conviction twenty-five cents for his costs of the certificate. <sup>Costs of certificate.</sup>

(3) A copy of the certificate, certified by the Minister or Deputy Minister or Registrar of Motor Vehicles, under the seal of the Department, shall be *prima facie* evidence of the conviction. 2 Geo. V, c. 48, s. 26. *Amended.* <sup>Evidence.</sup>

**60.**—(1) If any owner of a motor vehicle is served with a summons to appear in a county other than that in which he resides for an offence against this Act, and his defence is that neither he nor his motor vehicle was at the place of the alleged offence at the time such offence occurred, and that the summons must have been issued against him through an error of the informant as to the number on the official number plate, then and in that case only he may appear before a Justice of the Peace in the county in which he resides and in the same manner as if he were being tried for an offence against this Act, give evidence by himself and corroborated by the evidence of at least two other credible witnesses that neither he nor his motor vehicle was at the place of the alleged offence at the time such offence occurred, and that the summons must have been issued against him through an error of the informant as to the number on the official number plate. <sup>When owner may appear before Justice of the Peace.</sup>

(2) The said Justice, if satisfied of the truth of such evidence, shall forthwith make out a certificate in the form set out as Schedule "A" to this Act, and forward the same by registered letter post to the Justice before whom the summons is returnable. <sup>Certificate.</sup>

(3) The Justice before whom the summons is returnable shall, upon receiving such certificate, thereupon dismiss the charge unless he has reason to believe that the testimony is untrue in whole or in part, in which case he may adjourn the case and again summon the defendant, who shall then be required to attend before him at the place and time mentioned in the summons. 8 Geo. V, c. 37, s. 10. <sup>Dismissal of or adjournment.</sup>

**61.** Any person who violates any of the provisions of this Act or of any Regulation made thereunder where a penalty for the violation is not provided for herein, shall incur for the first offence, a penalty of not more than \$10; for the second offence a penalty of not more than \$20; and for the third offence a penalty of not more than \$30 and for any subsequent offence a penalty of not more than \$50. 2 Geo. V, c. 48, s. 29; 3-4 Geo. V, c. 52, s. 11. <sup>General penalty.</sup>

Penalty for  
operating  
while license  
or permit is  
suspended.

**62.** Any person who operates a motor vehicle while the permit for same is suspended and any chauffeur who operates a motor vehicle while his license is suspended shall incur for the first offence a penalty of not less than \$25 and not more than \$100 and shall also be liable for imprisonment for a term not exceeding 30 days; and for any subsequent offence shall incur a penalty of not less than \$100 and not more than \$500 and shall also be liable to imprisonment for a term not exceeding six months.

Interpre-  
tation.

**63.** Where a penalty is provided in this Act for a first, second, third or subsequent offence, the words "first," "second," or "subsequent" shall relate only to offences committed in the same calendar year; *but this shall not apply to offences under section 46.*

## PART XI.

### TRACTION ENGINES ON HIGHWAYS.

Limit of  
weight.

**64.**—(1) Traction engines, not exceeding 15 tons in weight, may be used upon any highway subject to the provisions of this Part.



Speed.

(2) The speed of a traction engine shall at no time in cities, towns and villages, exceed the rate of 3 miles an hour, or elsewhere the rate of 6 miles an hour.


Width of  
wheels.


(3) The width of the driving wheels of all such engines shall be at least 12 inches and the wheels of the trucks or waggons drawn thereby shall be at least 4 inches in width for the first 2 tons capacity, load and weight of truck included, and at least an additional  $\frac{1}{2}$  inch for each additional ton.

Cleats on  
rear wheels.

 (4) No traction engine manufactured after January 1st, 1924, and having a weight in excess of 3 tons shall be operated upon any highway unless the cleats, if any, on the rear wheels have a smooth surface and are not less than  $1\frac{1}{2}$  inches in width of face. If the cleats extend the full width of the rim of the wheel, they shall be placed at intervals of not more than 6 inches and if they do not extend the full width of the rim but are staggered diagonally, they shall be placed at intervals of not more than  $4\frac{1}{2}$  inches, and in no case shall they be placed at an angle of more than 30 degrees with the horizontal axis of the wheel. 

Cleats.

 (5) No traction engine manufactured after January 1st, 1924, shall be operated upon any highway unless the cleats or flanges, if any, on the wheels are such that the weight

resting upon the surface of the highway does not exceed 200 pounds upon any square inch of cleat or flange, assuming the entire width of the face of the cleat or flange to bear on the highway. 

**65.**—(1) Before it shall be lawful to run such engine over any highway, the person proposing to run the same shall, at his own expense, strengthen all bridges and culverts to be crossed by such engine, and keep the same in repair so long as the highway is so used. Strengthening bridges

(2) The cost of such repairs shall be borne by the owners of different engines in proportion to the number of engines run over such bridges or culverts. Owners of different engines to contribute.

(3) The two preceding subsections shall not apply to engines of less than ten tons in weight, used for threshing purposes or for machinery for the construction of roadways. Certain threshing engines not affected.

(4) Before crossing any such bridge or culvert the person proposing to run any traction engine shall lay down on such bridge or culvert planks of sufficient width and thickness to fully protect the flooring or surface of such bridge or culvert from any injury that might otherwise result thereto from the contact of the wheels of such engine; and in default thereof the person in charge and his employer, if any, shall be liable to the corporation of the municipality for all damage resulting to the flooring or surface of such bridge or culvert. 2 Geo. V, c. 53, ss, 2-5. *Amended.* Planks to be laid on surface of bridge.

**66.**—Any person who violates any of the provisions of this Part shall incur a penalty of not less than \$5 and not more than \$25 recoverable under *The Ontario Summary Convictions Act*. 2 Geo. V, c. 53, s. 11. Penalty for contravening Act. Rev. Stat. e. 90.

**67.** The following Acts and parts of Acts, namely:— Repeal.

- (a) *The Motor Vehicles Act*, being Chapter 207 of the Revised Statutes of Ontario, 1914.
- (b) 4 Geo. V, Chapter 36.
- (c) *The Motor Vehicles Amendment Act, 1916*; (6 Geo. V, c. 47).
- (d) *The Motor Vehicles Amendment Act, 1917*; (7 Geo. V, c. 49).
- (e) *The Motor Vehicles Amendment Act, 1918*; (8 Geo. V, c. 37).

- (f) 9 Geo. V, Chapter 57.
  - (g) *The Motor Vehicles Amendment Act, 1920*; (10-11 Geo. V, c. 74).
  - (h) *The Motor Vehicles Amendment Act, 1921*; (11 Geo. V, c. 72).
  - (i) *The Motor Vehicles Amendment Act, 1922*; (12-13 Geo. V, c. 80).
  - (j) *The Load of Vehicles Act, 1916*; (6 Geo. V, c. 49).
  - (k) 9 Geo. V, Chapter 59.
  - (l) *The Load of Vehicles Amendment Act, 1920*; (10-11 Geo. V, c. 75).
  - (m) *The Load of Vehicles Amendment Act, 1922*; (12-13 Geo. V, c. 81).
  - (n) *The Highway Travel Act*; being Chapter 206 of the Revised Statutes of Ontario, 1914;
  - (o) 6 Geo. V, Chapter 46.
  - (p) 7 Geo. V, Chapter 48.
  - (q) 8 Geo. V, Chapter 36.
  - (r) *The Traction Engines Act*; being Chapter 212 of the Revised Statutes of Ontario, 1914,
- are hereby repealed.

Commence-  
ment of Act.

**68.** This Act shall come into force on the *first day of September, 1923.*



SCHEDULE "A"

*Certificate of Justice referred to in Section 60*

I (name of Justice), a Justice of the Peace in and for the County of

hereby certify

1. That (name of defendant), of the

of in the county of

(occupation), this day day appeared before me and produced to me a summons issued by (name of Justice issuing summons), a Justice of the Peace in and for the county of , for an offence against *The Highway Traffic Act, 1923*, said to have been committed with respect to a car bearing the official number plate number for this year, said offence being alleged to have been committed on the

of in the county

of on the

day of

2. That the said (name of defendant) has deposed before me that neither he nor his motor vehicle was at the said place on the said day of 19 , and that the summons must have been issued against him through an error of the informant as to the number on the official number plate, and his testimony in this respect has been corroborated by the testimony of two credible witnesses, namely (here insert the name of two witnesses).

3. The depositions of the said defendant and of the witnesses in paragraph two of this certificate referred to are attached hereto.

4. That I am satisfied of the truth of the testimony given before me this day by (name of defendant and two witnesses), and give this certificate in pursuance of subsection (2) of section 60 of *The Highway Traffic Act, 1923*.

Dated at this day of

.....J.P.

*Note.—Attach depositions of defendant and witnesses to this certificate).*





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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to regulate Travel on Highways  
and the Speed, Operation and Load  
of Vehicles thereon.

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1st Reading,	31st January, 1923.
2nd Reading,	12th March, 1923.
3rd Reading,	1923.

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*(Reprinted as amended by Committee of  
the Whole.)*

MR. BIGGS.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to regulate the Operation of Public Vehicles.

**H**IS Majesty, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Public Vehicle Act*, Short title  
1923.

**2.** *The Public Vehicle Act, 1920*, is repealed and the pro- 1920, c. 76,  
repealed.  
visions of this Act are substituted here for:—

**3.** In this Act,—

Interpre-  
tation.

- (a) "Department" shall mean Department of "Depart-  
ment."  
Public Highways;
- (b) "Fixed termini" and "stated route" shall "Fixed  
termini."  
"Stated  
route."  
mean the termini or route between or over  
which any public vehicle is usually or ordin-  
arily operated though there may be periodical  
or irregular departures from the said termini  
or route;
- (c) "Public Highway" shall mean any public "Public  
highway."  
road maintained wholly or subsidized by the  
Province of Ontario;
- (d) "Public vehicle" shall mean a motor vehicle "Public  
vehicle."  
operated by or on behalf of a person carrying  
on upon the public highway, the business of  
a public carrier of passengers and express  
freight which might be carried in a passenger  
vehicle, and operating over a stated route or  
between fixed termini or at stated intervals, but  
shall not apply to the cars of electric or street  
railways operating on the public highway;

"Stated interval."

(e) "Stated intervals" as used in this Act shall mean any running schedule whatsoever usually or ordinarily followed in the operation of a public vehicle although there may be periodical or irregular departures from the said schedule;

"Toll."

(f) "Toll" shall mean any fee or rate charged, levied or collected by any person for the carriage of passengers, express or freight by a public vehicle.

4.—(1) No person shall conduct upon a public highway by means of a public vehicle, the business of a public carrier of passengers or passengers and express freight unless licensed so to do by the Department.

(2) The license for such purpose may be issued upon such terms and subject to such regulations and restrictions as the Lieutenant-Governor in Council may prescribe.

(3) The Department may issue permits conferring special exclusive or limited rights with respect to public vehicles so licensed and with respect to any highway or highways or portions thereof, named and described in said special permits.

(4) The license and permit issued by the Department shall fix the number of passengers or tonnage of express freight which each public vehicle shall carry, and no vehicle shall at any time carry more passengers or more tonnage than is fixed by the said license.

(5) A permit conferring exclusive rights for the operation of a public vehicle between any fixed termini or over any stated route shall not preclude the granting of a permit for the operation of any public vehicle on the same highway or any portion thereof where the granting of such last mentioned permit appears to the Department to be necessary in the public interest in order to enable passengers or express freight to be carried to any terminal point from other areas or terminal points than those named in such exclusive permit.

(6) The fees for such permits may be based upon a proportion of the receipts, mileage travelled or number or amount of passengers or passengers and express freight or upon any other basis which the Department may deem advisable.

(7) The fees for licenses and permits for public vehicles shall be in addition to any fee imposed under the Highway Traffic Act or any other Act.

(8) Every public vehicle shall, while being operated upon a highway, have attached to and exposed on each side thereof, in a conspicuous position, a license plate issued by the Department showing in plain figures the number of the license issued for such vehicle for the current year.

**5.**—(1) No tolls shall be charged until a tariff of such Tolls, tolls has been filed with and approved by the Department, nor shall any tolls be charged under any tariff or portion thereof disallowed by the Department, nor shall any person charge, levy and collect any toll for any service as a common carrier except under the provisions of this Act.

(2) A tariff of tolls approved by the Department shall be subject to revision by the Department at any time, and no tolls shall thereafter be charged except in accordance with such revised tariff. Tariffs of tolls to be approved by Department.

**6.** The Department may at any time cancel or suspend the license issued for any public vehicle by reason of a breach of *The Motor Vehicles Act*, *The Load of Vehicles Act*, *The Highway Travel Act* or this Act, or of the regulations made under this Act. Power to cancel or suspend license.

**7.**—(1) The Department may operate a public vehicle service on any public highway, may retain exclusive rights therefor, may purchase or acquire vehicles and equipment for such purpose, and collect toll for such service. Department authorized to operate public vehicle service.

(2) The cost of such vehicles and equipment, and the cost of operation thereof by or on behalf of the Department shall be defrayed out of any moneys voted for that purpose by the Legislature, except that the amount of tolls received by the Department shall be utilized for the cost of any such service, and any surplus shall be paid into the Consolidated Revenue Fund and an amount equivalent thereto shall be placed to the credit of The Highway Improvement Fund. Cost and equipment,—how borne.

**8.** No right, privilege, franchise or license held, owned or obtained by any person under this Act shall be sold, assigned, eased or transferred except with the approval of the Department had and obtained in writing. Approval of Department necessary for transfer of right, privilege, etc.

**9.** Every public vehicle shall be maintained in a safe and sanitary condition at all times and shall be at all times subject to the inspection of the Department and its duly authorized representatives. Inspection.

**10.** Every public vehicle shall be equipped with a standard speedometer which shall be maintained in good working order. Speedometer.

## Lights

**11.** Every public vehicle used in the transportation of passengers and having a covered top or top up, shall maintain a light or lights of not less than two candle power each within the vehicle and so arranged as to light up the whole of the interior of the vehicle, and such light or lights shall be kept constantly lighted between the hours of sunset and sunrise at all times when such vehicle is occupied by passengers.

## Extra tire

**12.** Every public vehicle used in the transportation of passengers shall when leaving either terminus be equipped with at least one extra serviceable tire.

## Brakes.

**13.** Every public vehicle shall be equipped with satisfactory brakes and such brakes shall at all times be maintained in good condition and with a braking power sufficient to lock the rear wheels of said vehicle when brakes are fully applied and the vehicle is operated at a speed of ten miles per hour.

## Chains.

**14.** Every public vehicle used in the transportation of passengers shall at all times carry a set of skid chains which shall be applied to the rear wheels whenever necessary to prevent skidding.

## Fire extinguisher.

**15.** Every public vehicle used for the transportation of passengers shall be equipped with a liquid fire extinguisher of a design or type approved by the Department and such extinguisher shall be kept in satisfactory operative condition at all times.

Drivers,—  
qualification of.

**16.** Drivers of vehicles shall at least be twenty-one years of age, of good moral character, shall be fully competent to operate the vehicles under their charge and shall hold a license from the Department as required by section 4 of *The Motor Vehicles Act*.

Prohibition  
as to  
drinking.

**17.** No driver or operator of any public vehicle carrying passengers shall drink any intoxicating liquor during the time he is on duty or at any time use intoxicating liquor to excess.

As to  
smoking.

**18.** No driver or operator of any public vehicle carrying passengers shall smoke any cigar, cigarette, tobacco or other substance in such vehicle during the time he is driving the vehicle.

Maximum  
of working  
hours.

**19.** No person owning, controlling, operating or managing any public vehicle used in the transportation of persons or property as a common carrier for compensation shall



cause or allow any driver or operator of such public vehicle to work as driver or operator for more than a maximum of ten hours in any twenty-four hour period.

**20.** No driver or operator of any public vehicle for passenger transportation shall refuse to carry any person offering himself or herself at any regular stopping place for carriage and who tenders the regular fare to any regular stopping place on the route of said motor vehicle or between the termini thereof, unless at the time of such offer the seats of said public vehicle are fully occupied, but the driver or operator of a public vehicle may refuse transportation to any person who is in an intoxicated condition or conducting himself in a boisterous or disorderly manner or is using profane or obscene language Right of person to be transported

**21.— 1)** No driver or operator shall allow passengers to ride on the running boards, fenders or any other part of the vehicle than the seats thereof, except that a vehicle may carry as standing passengers in the aisles thereof not more than one-third the number of persons for which seats are provided. Passengers not to be allowed on running board, etc

(2) No driver or operator of a public vehicle used for passenger traffic shall permit or allow on the front seat of such public vehicle more passengers than the seat is designed to carry, exclusive of the driver, or permit or allow any passenger to occupy any other portion of the vehicle forward of the back of the driver's seat. Restrictions as to seating.

(3) No passenger shall be allowed to sit on the front seat to the left of the driver if a left-hand drive motor vehicle, or to the right of the driver if a right-hand drive motor vehicle. Beside driver.

(4) No more than one passenger shall occupy the front seat of any motor vehicle with a touring car body operated by a centre control. Front seat.

**22.** Except when specially authorized by the Department, no public vehicle used in the transportation of passengers shall be operated or driven with any trailer or other vehicle attached thereto, except where a vehicle becomes disabled while on a trip and is unable to run from its own power when such disabled car may be towed to the nearest point where repair facilities are available. Trailers forbidden. Exception.

**23.** A public vehicle used for the carriage of passengers shall not carry or transport any luggage, baggage, package, trunk, crate or other load which extends beyond the running board of such vehicle. Luggage.

- Exits.**           **24.** Every public vehicle for the carrying of passengers shall have at least two doors or exits, one of which shall be at or near the rear of the vehicle.
- Insurance.**       **25.** Every public vehicle shall have placed thereon such amount of insurance and in a company approved by the Department as the Department may deem sufficient to safeguard claims of passengers respecting goods in case of collision, fire or other form of accident.
- Bill of Lading.**   **26.** Every person owning or operating a public vehicle shall use a form of Bill of Lading to be determined and approved by the Department, giving such guarantee as the Department may deem reasonable and expedient.
- Penalty for violation of rights granted by license.**   **27.** Where a license confers exclusive rights with respect to the operation of any public vehicle over a highway or any portion thereof, every person who operates a vehicle on such highway in such manner as to prejudice the exclusive rights granted by the license shall be guilty of an offence under this Act and shall incur a penalty of not less than \$25 nor more than \$100 for each day upon which such vehicle has been operated.
- Offences and penalties.**   **28.** Every person who contravenes any of the provisions of this Act for which no penalty is provided shall be guilty of an offence and shall incur a penalty for the first offence not exceeding \$10, for the second offence not exceeding \$20, for the third offence not exceeding \$30 and for every subsequent offence not exceeding \$50, and every penalty so imposed shall be paid over to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund and an equivalent amount shall be placed to the credit of The Highway Improvement Fund Account.
- Rev. Stat. c. 90.**       **29.** The penalties imposed by this Act shall be recoverable under *The Ontario Summary Convictions Act*.
- Commencement of Act.**   **30.** This Act shall come into force on the day upon which it receives the Royal Assent.



4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to regulate the Operation of  
Public Vehicles.

1st Reading,	31st January, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. BIGGS.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

## BILL

An Act to suspend the operation of The Adolescent School Attendance Act, 1919.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Adolescent School Attendance Suspension Act, 1923*. Short title.

**2.** Notwithstanding any of the provisions contained in *The Adolescent School Attendance Act, 1919*, and notwithstanding the issue of any proclamation of the Lieutenant-Governor in Council bringing any part of the said Act into force, none of the provisions of *The Adolescent School Attendance Act, 1919*, shall come into force or take effect until the first day of January, 1928, nor thereafter until a proclamation has been issued by the Lieutenant-Governor in Council declaring the said Act or part thereof to be in force. Suspension of operation of 1919, c. 78.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

No. 74.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to suspend the operation of  
The Adolescent School Attendance  
Act, 1919.

1st Reading,	1st February,	1923.
2nd Reading,		1923.
3rd Reading,		1923.

MR. CASSELMAN.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Ontario Companies Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Companies Amendment Act, 1923*. Short title

2. Subsection 4 of section 45 of *The Ontario Companies Act* is repealed and the following substituted therefor: Rev. Stat. c. 178, s. 45, sub-s. 4, amended.

(4) A copy of the report set out in subsection 2 shall be prepared annually and signed by the Secretary, Treasurer or Manager of the company, for transmission to the Provincial Secretary in accordance with the provisions of subsection 4 of section 135 of this Act. Copy of report to be sent to Provincial Secretary.

3. Subsection 4 of section 135 of *The Ontario Companies Act* as enacted by section 3 of *The Ontario Companies Amendment Act, 1921*, is amended by inserting after the word "verified" in the first line the following words: "together with the signed report mentioned in subsection 4 of section 45 of this Act," so that the subsection will now read as follows: Rev. Stat. c. 178, s. 135, sub-s. 4, amended.

(4) The statement or return so verified shall, on or before the 8th day of February next after the time hereinbefore prescribed for making the statement or return, be transmitted to the Provincial Secretary together with the signed report mentioned in subsection 4 of section 45 of this Act. Transmitted to Provincial Secretary

4. Section 92 *The Ontario Companies Act* is amended by adding thereto the following subsection: Rev. Stat. c. 178, s. 92, amended.

(2) No payment or payments shall be made to the President, Vice-President or any Director of the Payments, when not to be made.

company, other than as salaries to officers for actual services as Manager, Secretary or Treasurer, in any year in which a dividend of less than five per cent. is declared and paid to the shareholders of the company.

Commence-  
ment  
of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.





4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Ontario  
Companies Act.

1st Reading,	1st February,	1923.
2nd Reading,		1923.
3rd Reading,		1923.


ALFRED DEWAR.

LEONID  
CLARKSON M. P.  
ALFRED DEWAR M. P.

# BILL

An Act to amend The Ontario Companies Act.


**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

 **1.** This Act may be cited as *The Ontario Companies Amendment Act, 1923.* Short title.

**2.** Section 45 of *The Ontario Companies Act* is amended by Rev. Stat. c. 178, s. 45, amended. adding thereto the following subsection:—

(5) (a) A copy of such report shall be furnished Report furnished on application. forthwith to any shareholder on written application.

(b) Every company which neglects or refuses to Penalty. furnish such report for which application has been made as aforesaid shall be liable to a penalty not exceeding \$100.

**3.** This Act shall come into force on the first day of Janu- Commence- ment of Act. ary, 1924. 

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Ontario  
Companies Act.

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1st Reading, 1st February,	1923.
2nd Reading, 9th February,	1923.
3rd Reading,	1923.

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*(Reprinted as amended by the Legal Com-  
mittee).*

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MR. DEWART.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Athletic Commission Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Athletic Commission Amendment Act, 1923*. Short title

**2.** *The Athletic Commission Act* is amended by adding 1920, c. 30, amended thereto the following section:—

13b.—(1) Where the Ontario Branch of the Amateur Athletic Union of Canada or any other Branch of the Amateur Athletic Union of Canada operating in Ontario, requests the Commission to cause investigation to be held into any matter which the Branch considers should be investigated in the interest of amateur sport in the Province, the Commission may hold such investigation or may refer the matter for investigation to a committee for investigation and report. Investigations by Commission of Committee.

(2) The committee may consist of a member or members of the Commission or such other persons as the Commission may designate. who may be appointed to committee.

(3) The appointment of the committee shall be in writing signed by the Chairman or acting Chairman of the Commission. Appointments.

(4) The committee or Commission for the purposes of such investigation may possess all the powers which may be conferred upon a commission appointed under *The Public Inquiries Act*. Powers of Commission or Committee. Rev. Stat. c. 18.

**3.** This Act shall come into force and take effect on the 1st day of June, 1923. Commencement of Act.

No. 76.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Athletic  
Commission Act.

1st Reading,	2nd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HOWTH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Athletic Commission Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Athletic Commission Amendment Act, 1923.* Short title.

2. *The Athletic Commission Act* is amended by adding thereto the following section:— 1920, c. 30, amended.


13b.—(1) Where the Ontario Branch of the Amateur Athletic Union of Canada or any other Branch of the Amateur Athletic Union of Canada operating in Ontario, requests the Commission to cause investigation to be held into any matter which the Branch considers should be investigated in the interest of amateur sport in the Province, the Commission may hold such investigation or may refer the matter for investigation to a committee for investigation and report. Investigations by Commission of Committee.

(2) The committee may consist of a member or members of the Commission or such other persons as the Commission may designate. Who may be appointed to committee.

(3) The appointment of the committee shall be in writing signed by the Chairman or acting Chairman of the Commission. Appointments.

(4) The committee or Commission for the purposes of such investigation may possess all the powers which may be conferred upon a commission appointed under *The Public Inquiries Act.* Powers of Commission or Committee. Rev. Stat. c. 18.

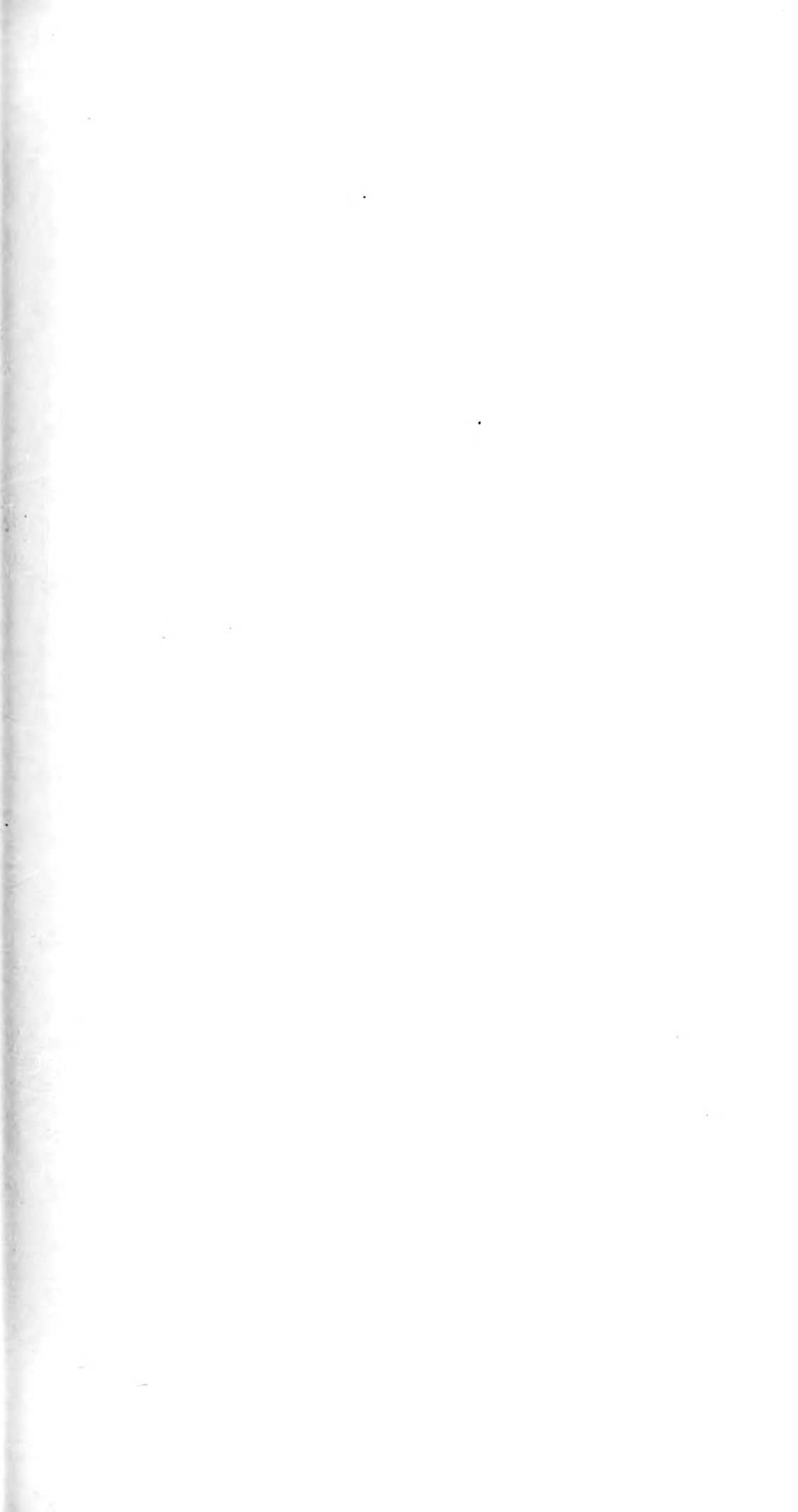
(5) Nothing in this section contained shall authorize the Commission or any other body, to hold an investigation or inquiry into any matter connected with the affairs of the Canadian Intercollegiate Power not to extend to Canadian Intercollegiate Athletic Union.

Athletic Union or of any society, association, club or other body included in, connected with, or controlled by the said Union, or as to the standing, qualifications, conduct or discipline of the members of any such society, association, club or other body. 

Commence-  
ment of  
Act.

**3.** This Act shall come into force and take effect on the 1st day of June, 1923.





4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Athletic  
Commission Act.

1st Reading,	2nd February,	1923.
2nd Reading,	12th February,	1923.
3rd Reading,		1923.

*(Reprinted as amended by the Legal  
Committee.)*

MR. HONUTH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act for the Better Prevention of Certain Commercial Agreements.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Commercial Agreements Act, 1923.* Short title.

**2.** In this Act "Agreement" shall include contract, arrangement, understanding, combination and conspiracy, whether written, verbal or tacit. Interpretation.  
"Agreement."

**3.** Upon the Attorney-General filing an affidavit of any person setting forth,— Order for discovery on application by Attorney-General.

- (a) that an agreement such as is described in section 4 is in existence;
- (b) that the deponent verily believes that such agreement is unlawful;
- (c) that certain persons, naming them, are parties to, or have knowledge of such agreement or circumstances connected therewith,

the Supreme Court either before or after action brought as hereinafter provided may make an order on the *ex parte* application of the Attorney-General entitling him to examine under oath the persons so named and to have production of all books, documents, records, memoranda, letters or other writings relating thereto in accordance with the Consolidated Rules of Practice of the Supreme Court governing Discovery.

**4.** An action may be brought by the Attorney-General of Ontario in the Supreme Court for a declaration that an agreement exists which,— Action for declaration that agreement unlawful.

- (a) constitutes a conspiracy in restraint of trade as being an agreement between two or more

persons to do or procure to be done an unlawful act in restraint of trade; or

- (b) is an agreement to unduly limit the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article or commodity which may be a subject of trade or commerce; or
- (c) is an agreement to restrain or injure trade or commerce in relation to any such article or commodity; or
- (d) is an agreement to unduly limit or restrain the manufacture or production of any such article or commodity or to unreasonably enhance the price thereof; or
- (e) is an agreement to unduly prevent or lessen competition in the production, manufacture, purchase, barter, sale, transportation or supply of any article or commodity,

and that such agreement is unlawful and void, and for an injunction, mandatory order or other relief.

Powers of  
Court.

**5.** If the Court finds that such agreement comes within any of the clauses from *a* to *e* of section 4, it shall declare such agreement unlawful and void to all intents and purposes and the Court may make such order with respect to past and future dealings, rights or obligations of the parties to such agreement as may be deemed just and expedient, having in view the course of business between the parties, the degree of good faith manifested by them in entering into, acting under, or carrying out such agreement and the protection of the public interest, and may make such further order as the circumstances require to prevent the carrying out of such agreement or any similar agreement.

Commence-  
ment of  
Act.

**6.** This Act shall come into force and take effect on the 1st day of June, 1923.



No. 77.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act for the Better Prevention of  
Certain Commercial Agreements.

1st Reading, 2nd February,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to incorporate the Northern Ontario Fire Relief Committee.

**W**HEREAS by order of the Lieutenant-Governor in Council, dated the seventeenth day of November, 1922, the persons mentioned in section 1 hereof as the nominees of certain bodies and organizations and their successors were constituted "The Northern Ontario Fire Relief Committee," with the objects and purposes therein set out; and whereas it is desirable in the public interest that the said Committee should be incorporated with certain powers.

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Northern Ontario Fire Relief Committee Act, 1923.*

Short title.

2. Mr. A. J. Young, of the Town of North Bay, representing the Government of Ontario; Mr. W. H. Alderson, of the City of Toronto, representing the Toronto Board of Trade; Mr. G. C. Copley, of the City of Hamilton (Western representative) and Mr. John Elliott, of the City of Belleville (Eastern representative), representing the Ontario Associated Boards of Trade; Mr. George S. Matthews, of the City of Brantford, representing Western Ontario Associated Boards of Trade; Mr. George Bridgen, of the City of Toronto, representing The Canadian Manufacturers' Association; Mr. Kenneth W. McKay, of the City of St. Thomas, representing The Ontario Municipal Association; Mrs. Henry Plumptre, of the City of Toronto, representing the Ontario Board of The Canadian Red Cross Society; Mr. R. A. McInnis, of the Town of Iroquois Falls, representing The Temiskaming and Northern Ontario Railway, the Associated Boards of Trade and the Farmers' Associations in Ontario; Mr. J. J. Morrison, of the City of Toronto, representing The United Farmers of Ontario; Mrs. N. Souter, of the Town of North Bay, representing the United Farm Women of Ontario; and Mrs. A. H. Willett, of the Town of Cochrane, representing

Incorporation.

the Federated Women's Institutes of Ontario and their successors in office are hereby constituted a body corporate and politic under the name of "The Northern Ontario Fire Relief Committee."

Term of  
office.

**3.** The members of the said Committee shall hold office during the pleasure of the Lieutenant-Governor in Council and when a vacancy in the office of any member of the Committee occurs from any cause, the Lieutenant-Governor in Council may appoint some other person as his successor.

Quorum.

**4.** Five members shall constitute a quorum of the Committee.

Chairman.

**5.** The Committee shall appoint one of their number to be Chairman.

**6.** The Committee may,—

Powers and  
duties of  
Committee.

- (a) Accept contributions of money or property from any person, municipal corporation or Government and may distribute the same as the Committee may think proper among the persons who suffered loss, damage or injury in or by reason of the forest fires which occurred during October, 1922, in Northern Ontario, or who may hereafter suffer loss, damage or injury in or by reason of any forest fire in Ontario;
- (b) Investigate and report to the Lieutenant-Governor in Council from time to time as to the losses, damages and injuries caused by any such fire;
- (c) Act in an advisory capacity with the Government of Ontario and with the various recognized Government agencies in the matter of the repair, rebuilding and restoration of any fire-swept district;
- (d) Report to the Lieutenant-Governor in Council from time to time as to the amount of money and property contributed to the Committee;
- (e) Acquire and take over from the former Committee, with a similar name and similar objects all its undertakings, including all trust and other funds;



- (f) Make rules and regulations for
- (i) the appointment of the necessary officers and employees, the fixing of their remuneration and the defining of their duties;
  - (ii) the collection, safe-keeping and distribution of moneys and property contributed;
  - (iii) the holding of meetings;
  - (iv) the control and management of the affairs of the Committee; and
- (g) do all things necessary and incidental to the carrying out of the above powers.

**7.** The corporation of any municipality in Ontario may make contributions in money or property to the Committee for the purpose of carrying out its objects, and any contributions heretofore made by any municipal corporation are hereby ratified and confirmed.

Contribution by Municipalities.

**8.** The expenditures and accounts of the Committee shall be subject to such audit and examination from time to time as the Lieutenant-Governor in Council may direct.

Audit of accounts.

**9.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

Commencement of Act.

No. 78.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to incorporate The Northern  
Ontario Fire Relief Committee.

1st Reading, 2nd February,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DRURY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Actions for Negligence against Hydro-Electric Railways.

**H**IS MAJESTY, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Hydro-Electric Negligence Act, 1923.* Short title.

**2.** Notwithstanding anything contained in any other Act, it shall not be necessary to secure the consent of the Attorney-General before commencing any action against the Hydro-Electric Power Commission of Ontario for damages arising through the negligence of the agents, contractors, officers, employees or servants of the said Commission in the construction, equipment or operation of any electric railway constructed or acquired, equipped and operated by the said Commission under the authority of any Act of this Legislature. Consent of Attorney-General not necessary in certain actions.

**3.** This Act shall come into force on the day upon which it receives the Royal assent. Commencement of Act.

No. 79.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Actions for Negligence  
against Hydro-Electric Railways.

1st Reading,	2nd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DEWART.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 109 of *The Assessment Act* is amended by striking out at the end thereof the following words:—"Provided also that in cities and towns no distress for taxes in respect of vacant land shall be made upon goods or chattels of the owner except upon the land." Rev. Stat. 1914, c. 195, s. 109, subs. 1 amended.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading,	5th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

Mr. HALCROW.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend the Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 21 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following words:—<sup>1922, c. 72,  
s. 21, subs. 2,  
amended.</sup>

“and where it appears to the Board that it is expedient to amend the terms and conditions of any proclamation of the Lieutenant-Governor in Council or order of the Board annexing any adjacent territory to a city or town, the Board may, with the consent of the Council of the municipality to which the lands were annexed, amend or vary such proclamation or order,” so that the subsection as amended will read as follows:—

- (2) The order may, before it takes effect, be amended in any respect by a further order, and may at any time when it does not correctly set forth the terms and conditions as to the adjustment of assets and liabilities, taxation, assessment, improvements or otherwise, agreed upon be amended to conform with the agreement and where it appears to the Board that it is expedient to amend the terms and conditions of any proclamation of the Lieutenant-Governor in Council or order of the Board annexing any adjacent territory to a city or town, the Board may, with the consent of the Council of the municipality to which the lands were annexed, amend or vary such proclamation or order. <sup>Amendment  
of order.</sup>

2. Paragraph 5 of section 401 of the said Act is amended by adding after the word “re-sale,” in the 7th line the words:—<sup>1922, c. 72,  
s. 401, par.  
5, amended.</sup> “and for licensing and regulating hucksters and others who re-sell such things on the market,” so that the paragraph as amended will read as follows:—

Prohibiting  
forestalling,  
etc.

- (5) For prohibiting the forestalling, regrating or monopoly of grain, wood, meat, fish, fruit, roots, vegetables, poultry, dairy products, eggs and all articles for family use, which are usually sold in the market and for prohibiting or regulating the purchase of such things by hucksters, grocers, butchers, runners or wholesalers, or by persons who directly or indirectly purchase or acquire them for re-sale and for licensing and regulating hucksters and others who re-sell such things on the market.

Hucksters,  
etc.

Proviso.

- (a) Farmers and other producers may nevertheless sell such things at stores and shops at any time.

1922, c. 72,  
s. 416, par  
1 (g)  
amended.

3. Clause g of paragraph 1 of section 416 of the said Act is amended by striking out all the words after the word, "resided," in the 7th line, so that the clause as amended will read as follows:—

Fees.

- (g) The fee to be paid for the license under by-laws passed under this paragraph may be lower in the case of persons who have resided continuously within the municipality for which the license is sought for at least one year prior to the application therefor than in the case of persons who have not so continuously resided.

1922, c. 72,  
s. 91  
amended.

4. Section 91 of the said Act is amended by adding thereto the following words:—"Provided that in case the name of any qualified elector rated on the last revised assessment roll, upon which the voters' list is based, has been, through inadvertence, omitted from the voters' list. The clerk of the municipality, on the request of such elector, shall give a certificate that he is entitled to vote, on presentation of such certificate the elector shall have the right, subject to the provisions of this Act, to vote at such election in the polling subdivision in which he possesses the necessary qualification. The Deputy Returning Officer shall attach such certificate to the voters' list," so that the section as amended will read as follows:—

Proper  
voters' list  
to be used  
at an elec-  
tion.  
1922, c. 4.

91. The proper list of voters to be used at an election shall be the first and second parts of the voters' list certified by the Judge and delivered or transmitted to the Clerk of the Peace under *The Ontario Voters' Lists Act*, with the supplementary list, if any, under section 93 or the list provided for by section 94, provided that in case the name of any qualified



elector rated on the last revised assessment roll, upon which voters' list is based, has been, through inadvertence, omitted from the voters' list. The clerk of the municipality, on the request of such elector, shall give a certificate that he is entitled to vote, on presentation of such certificate the elector shall have the right, subject to the provisions of this Act, to vote at such election in the polling subdivision in which he possesses the necessary qualification. The Deputy Returning Officer shall attach such certificate to the voters' list.

5. Section 266 of the said Act is amended by adding thereto the following subsection:—

1922, c. 72  
s. 266,  
amended.

- (5) If through inadvertence the name of any qualified elector rated upon the last revised assessment roll has been omitted from said list, the clerk of the municipality, on the request of such elector, shall give a certificate that he is entitled to vote on the by-law. On presenting such certificate to the Deputy Returning Officer, the elector shall have the right, subject to the provisions of this Act, to vote in the ward or polling subdivision in which he possesses the necessary qualifications. The Deputy Returning Officer shall attach such certificate to the voters' list.

Certificate  
of Clerk  
where name  
is omitted.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

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1st Reading,	5th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR HALCROW.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Ontario Railway Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Railway Amend-ment Act, 1923.* Short title

**2.** Section 120 of *The Ontario Railway Act* shall apply to Rev. Stat. c. 185, s. 7, incline railway companies, and subsection 2 of section 7 sub. 2, amended. of the said Act is amended by adding the figures "120" after the figures "111" in the second line.

**NOTE.**—Section 120 provides for the approval by the Board of the work done at crossings of streets.

**3.** Section 105 of *The Ontario Railway Act* is amended by Rev. Stat. c. 185, s. 105, amended. adding thereto the following subsection:—

- (10) The Board shall not have power or authority to permit a railway company, street railway company or incline railway company to enter upon or pass through park lands of any municipality or Board of Park Management, without the consent of the Corporation of the municipality owning such lands or the Board of Park Management having the management and control thereof.

**4.** This Act shall come into force on the day upon which Commence-ment of Act. it receives the Royal Assent.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Ontario Railway  
Act.

1st Reading,	5th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HADROW.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
under to the King's Most Excellent Majesty

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Assessment Act* is amended by adding after section 155 the following as section 155a:—

Rev. Stat.  
1914, c. 195,  
amended.

(155a) In cities and towns where the whole of the taxes on any land built upon, is in arrear for 5 years or more, the treasurer of the municipality may sell the whole parcel, both land and buildings, for the best price that may be offered by the bidders at the sale; and any money obtained by the treasurer as the price of such land and buildings shall be applied and paid by such treasurer in the manner set forth in subsection 1 of section 155 of this Act; provided however, that in the event of redemption the person redeeming shall not be required to pay ten per cent. upon the whole amount realized, but shall be required to pay ten per cent. only upon the amount necessary to discharge the taxes and all lawful charges incurred in and about the sale and collection of the taxes.

Sale where  
taxes 5 years  
or more in  
arrear.

No. 83.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading,	5th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HALCROW.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Publication of Betting Information.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Betting Information Act*, Short title.  
1923.

**2.** In this Act,—

- (a) "Betting information" shall include tips, selections, choices, odds, winning money, prices, prices paid to winners, pari-mutuel payments or any similar intelligence relating to, applicable to, or connected with any horse race, steeplechase, pacing, running or trotting race, whether held within or without Ontario; Interpretation "Betting information."
- (b) "Publication" shall include board, tape, sheet, paper, pamphlet, newspaper, magazine or periodical. "Publication."
- (c) "Publish" shall include the act of writing, typewriting, printing and otherwise making information legible, and the act of producing, displaying, distributing, selling or offering for sale and disposing of. "Publish."

**3.—(1)** Every person who by himself, his clerk, servant or agent, publishes any publication containing betting information, as defined in this Act, shall be guilty of an offence and shall incur a penalty not exceeding \$500 and in addition thereto may be imprisoned for a period not exceeding six months and in default of payment of any such penalty shall be liable to imprisonment for a period of three months. Offence.

Penalties,  
how recover-  
able.

(2) The penalties imposed by this section shall be recoverable under *The Ontario Summary Convictions Act*.

Exceptions.

**4.** Nothing in this Act contained shall render unlawful or prohibit the publishing or keeping on, the premises of an incorporated association lawfully conducting races in Ontario, of any publication containing betting information with respect to races run, being run or to be run on the premises of such association.

Limitation  
of effect.

**5.** Nothing in this Act contained shall be deemed to permit anything prohibited by *The Criminal Code* or by any other statute of Canada nor shall anything in this Act be deemed to prohibit anything expressly permitted or declared to be lawful, or declared not to be unlawful by *The Criminal Code* or by any other statute of Canada.

Commence-  
ment of  
Act.

**6.** This Act shall come into force and take effect on a day to be named by the Lieutenant-Governor by his proclamation.





4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Publication of  
Betting Information.

1st Reading,	6th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. Paragraph 2 of section 398a of *The Consolidated Municipal Act, 1922*, is hereby repealed and the following substituted therefor:—

1922, c. 72,  
s. 398a,  
par. 2,  
repealed.

- 2 For exempting from taxation except for local improvement and school purposes for a period not exceeding ten years any memorial home or club-house for nursing sisters, officers and men who were on active service during the past war with the naval or military forces of Great Britain and her Allies and the lands used in connection therewith; provided that such buildings and lands shall be exempt only while actually used and occupied for the purposes of a memorial home or club-house.

Exemption  
from  
taxation.

No. 85.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	7th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MCNAMARA.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Proportional Representation in Municipal Elections.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

### *Short Title.*

**1.** This Act may be cited as *The Municipal Proportional Representation Act, 1923.* short title.

### *Adoption of Act.*

**2.** This Act may be adopted by the council of any municipality, in the manner provided by section 3. Manner of adoption.

**3.—(1)** In case a petition signed by at least five per cent. of the municipal electors is presented to the council of such municipality, asking that the opinion of the electors be obtained by way of plebiscite as to the advisability of bringing this Act into force in the municipality, it shall be the duty of such council forthwith to prepare a by-law therefor, and to submit at a time and place or places and in the manner thereby provided, to the vote of the municipal electors the following question: "Are you in favour of bringing *The Municipal Proportional Representation Act* into force in this municipality?" Petition for plebiscite.

**(2)** If at such plebiscite the majority of those voting vote in favour of bringing this Act into force in such municipality, this Act shall forthwith come into force and effect in such municipality. Result of favourable vote.

**(3)** Notwithstanding the next preceding subsection, this Act may be adopted for any municipality, by a by-law of the council passed by a majority of three-fifths of the members present and voting. One month at least before any meeting at which any by-law under this section is passed, special notice of the meeting and of the intention to propose Adoption by by-law of Council.

the by-law shall be given to every member of the council in the mode in which notices to attend meetings of the council are usually given.

*Elections.*

Wards to be disregarded.

**4.** At all elections under this Act the members to be elected shall be elected by general vote, but the cities of Toronto, Hamilton and Ottawa may be divided into two or more districts by by-law of the council which shall set out the number of members to be elected in each district.

Elector to have one vote only.

**5.—**(1) Every elector shall have one vote only.

Method of voting.

(2) An elector in casting his vote,

- (a) Shall place on his ballot paper the figure 1 in the space opposite the name of the candidate of his first choice;
- (b) May, in addition, if he wishes to express also a second, third, and other choices, place on his ballot paper the figure 2, opposite the name of his second choice, the figure 3 opposite the name of his third choice, and so on in the order of his preferences.

Invalid ballot paper.

**6.** Any ballot paper shall be void on which:

- (a) The figure 1 standing alone indicating a first preference for some one candidate is not placed; or on which
- (b) The figure 1 standing alone indicating a first preference is set opposite the name of more than one candidate; or on which
- (c) The figure 1 standing alone indicating a first preference and some other number is set opposite the name of the same candidate; or on which
- (d) It cannot be determined for which candidate the first preference of the voter is expressed; or on which
- (e) There is no indication of figures or preferences; or on which
- (f) Any writing or mark is made by which the voter can be identified; or on which
- (g) The official mark is not marked.

**7.** The following direction shall be printed at the top of each ballot paper under the heading of "Directions to Voters": "Vote by placing the figure 1 in the space opposite the name of your first choice; the figure 2 opposite the name of your second choice; the figure 3 opposite the name of your third choice, and so on. You may thus express as many choices as you please. If you spoil this ballot paper inadvertently, you may return it to the presiding officer and obtain another in its place."

Directions  
to Voters.

**8.** The directions for the guidance of the voter in voting, together with examples of validly marked ballots, shall be printed in conspicuous characters and placarded outside and inside of every polling place.

Display of  
printed  
directions.

**9.** There shall be separate ballot papers for mayor, reeve, controllers, aldermen, councillors, school trustees, and any other elective office.

Separate  
ballot  
papers.

**10.** The provisions of *The Consolidated Municipal Act, 1922*, respecting elections shall apply, except where inconsistent, to elections held under this Act.

Provisions of  
1922, c 72, to  
apply except  
where inconsis-  
tent.

#### *General.*

**11.** The clerk of the council of every municipality in which this Act is brought into force shall by notice in writing inform the Bureau of Municipal Affairs to that effect, and a return of all the municipalities in which this Act is in force shall be presented to the Legislature each year by the Director of the said Bureau.

Notice to  
Inspector  
of  
Municipali-  
ties.

**12.** The Lieutenant-Governor in Council may, by Order-in-Council, make rules and regulations prescribing the method of transferring and counting votes at elections held under this Act, and for carrying out effectively the purposes of this Act, and any such rules and regulations shall be published in the *Ontario Gazette* and shall have effect as if they were enacted in this Act.

Regulations  
for counting  
votes.

No. 86.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Proportional Representation in Municipal Elections.

1st Reading,	7th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HOMUTH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend the Workmen's Compensation Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Industrial Rehabilitation Act*, 1923. Short title.

**2.** *The Workmen's Compensation Act* is amended by adding 1914, c. 25 thereto the following section:—

**44c.**—(1) Where a workman, by reason of permanent Provisions. injury entitling him to payment of compensation for life, is or may be expected to be seriously handicapped in obtaining remunerative employment, the Board, if of the opinion that he will be materially benefited thereby, may, within a reasonable time after the injury, arrange for or provide:

(a) Such therapeutic treatment in addition to Therapeutic treatment. medical aid as in its opinion will be necessary to rehabilitate the workman physically;

(b) Such courses of instruction as in its opinion Courses of instruction. are necessary for the occupational retraining of the workman;

(c) Such assistance as it may be able in securing Replacement. suitable employment for the workman.

(2) In the industries in Schedule 1 the benefits provided Benefits and assessments. for by the Board shall be paid out of the accident fund and the amount necessary therefor shall be included in assessments levied upon the employers, and in the industries in Schedule 2 they shall be paid or provided for by the employers individually as the Board may direct.

Period of  
temporary  
disability.

- (3) The period during which an injured workman is undergoing such therapeutic treatment or receiving such instructional course shall, for the purpose of payment of compensation, be considered a period of temporary disability, but in fixing such compensation regard shall be had to any amount actually earned by such workman, and payment of such compensation shall not in any case be continued after the expiration of six months from the date of actually entering upon any course of instruction.

Non-  
British  
subjects.

- (4) The provisions of this section shall not apply to any workman not a British subject resident in Ontario, except workmen who are residents of and owe allegiance to a country or place outside of Ontario under the laws of which country or place a British subject resident in Ontario would be entitled to Industrial Rehabilitation, and in the case of such non-residents the benefits may be limited to the equivalent of those provided for by such law.

Expenses

- (5) To assist in defraying the expenses incurred in the administration of the provisions of this section there may be paid to the Board out of the Consolidated Revenue Fund such annual sum, not exceeding \$ \_\_\_\_\_ as the Lieutenant-Governor in Council may direct.

Commence-  
ment of  
Act.

3. This Act shall come into force and take effect on the \_\_\_\_\_ day of \_\_\_\_\_, 1923, and shall apply only to workmen injured on and after that date.



No. 87.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend the Workmen's  
Compensation Act.

1st Reading,	7th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MCNAMARA.

TORONTO:

PRINTED BY CLARKSON W. JAMES

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Assessment Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 1 of section 56 of *The Assessment Act* is R.S.O. 1914 c. 195, s. 56, hereby repealed and the following subsection substituted (1) repealed. therefor:—

- (1) In cities, towns, villages and townships, the council instead of being bound by the periods above mentioned for taking the assessment, and by the periods named for the revision of the rolls by the Court of Revision, and by the County Judge, may pass by-laws for regulating the above periods, as follows, that is to say:—For taking the assessment between the 1st day of May and the 30th day of September, the rolls being returnable in such case to the city, town, village or township clerk on the 1st day of October, and in such case the time for closing the Court of Revision shall be the 15th day of November, and for final return by the Judge of the County Court, the 5th day of December, and the assessment so made and concluded may be adopted by the council of the following year as the assessment on which the rate of taxation for said following year shall be fixed and levied; and the taxes for such following year shall in such case be fixed and levied upon such assessment.
- Time for taking the assessment and revising the rolls in cities, etc.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment  
Act.

1st Reading,	7th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SWAYZE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Separate Schools Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Separate Schools Amendment Act, 1923*. Short title.

**2.** Subsection 1 of section 75 of *The Separate Schools Act* is amended by striking out all the words in the eighth line after the words "school rates," and substituting therefor the words, "and all property subject to taxation at the time when the loan was effected on the security of the property or rates shall continue to be liable for the rate to be levied for the repayment of the money so secured," so that the subsection will now read as follows:—

Rev. stat.  
c. 270, s. 75,  
subs. 1,  
amended.

- (1) The board of a separate school may pass by-laws for borrowing money for school purposes and for making mortgages and other instruments for the security and payment thereof, or of money payable or to be paid for school sites, school buildings or additions thereto, or the repairs thereof, upon the school-house property and premises or any other real or personal property vested in the board, or upon the separate school rates and all property subject to taxation at the time when the loan was effected on the security of the property or rates shall continue to be liable for the rate to be levied for the repayment of the money so secured.

Borrowing  
powers of  
trustees  
of separate  
schools.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

No. 89.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Separate Schools  
Act.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MAGEAU.

TORONTO:  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.



An Act to amend The Railway Employees'  
Voting Act, 1918.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** This Act may be cited as *The Railway Employees' Voting Short title.*  
*Amendment Act, 1923.*
- 2.** *The Railway Employees' Voting Act, 1918*, as amended by 1918, c. 33,  
10-11 George V, chapter 62, and by 12-13 George V, chapter 62, as amended  
73, is amended by adding the following as section 1c: by 1920, c. 62, and 1922,  
c. 73, amended.  
ed.
- 1c. In this Act "railway employees," in addition to their ordinary meaning, shall include commercial travellers.
- 3.** Subsection 1 of section 8 of the said Act is amended by 1918, c. 33,  
inserting after the words "Express Company," the words, s. 8 (1), as  
"Or by a wholesale business house regularly assessed as such." amended by  
1922, c. 73  
(2) amended.

No. 90.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Railway Employees'  
Voting Act, 1918.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. STEVENSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to enable Railway Employees and Commercial Travellers to Vote at Municipal Elections before Polling Day.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Railway Employees and Commercial Travellers Voting Act, 1923.* Short title.

**2.** In this Act,

Interpreta-  
tion.

- (a) "Election" and "municipal elections" shall apply to and include voting on by-laws and to elections for the board of education or the board of public school trustees where the election is held by ballot. 1920, c. 62, s. 1. "Election."
- (b) "Railway employees" in addition to their ordinary meaning shall include railway mail clerks employed by the Post Office Department of Canada and railway express clerks employed by an express company. 1920, c. 73, s. 1. "Railway employees."
- (c) "Commercial travellers" shall mean members of The Ontario Commercial Travellers Association, The Dominion Commercial Travellers Association, The North-west Commercial Travellers Association, The Maritime Commercial Travellers Association, The Toronto Commercial Travellers Association, or any of them. *New.* "Commercial travellers."

**3.—(1)** This Act shall apply to any municipality the council of which passes a by-law declaring that it shall apply, and any such by-law shall be in force from year to year until repealed. 1918, c. 33, s. 2. Application of Act.

Petition for  
passing  
by-law.

(2) If a petition signed by at least twenty-five of such railway employees or commercial travellers is presented to the council at least two weeks prior to the date of the nomination meeting asking that a by-law be passed and declaring that this Act should apply, it shall be the duty of the council to pass the by-law in accordance with the petition. 1920, c. 62, s. 2; *amended*.

Act to apply  
to railway  
employees  
and com-  
mercial  
travellers.

4. This Act shall apply only to railway employees and commercial travellers whose employment is such as to necessitate their absence from time to time from the municipality, who are entitled to vote at municipal elections and who have reason to believe that they will be absent from the municipality on the day fixed for holding the poll at the annual municipal elections. 1918, c. 33, s. 3; *amended*.

Holding of  
Poll.

5. For the purpose of enabling every such person to vote at the annual municipal elections a poll shall be held and open from nine o'clock in the morning until five o'clock in the afternoon for the three days, exclusive of Sunday, immediately preceding the day for holding the poll at the annual municipal election at the city, town or village hall or at some other convenient place chosen by the clerk, and notice of the time and place of holding the poll shall be given by the clerk by publication in a newspaper for such time as may be thought proper by the council. 1918, c. 33, s. 4; 1920, c. 62, s. 3.

Application  
of 1922, c. 72

6. Except as herein otherwise provided the provisions of *The Consolidated Municipal Act, 1922*, as to proceedings prior to the holding of a poll and at the poll and after the closing of the poll shall apply. 1918, c. 33, s. 5.

Ballot box  
for each  
ward.

7. In a municipality where the election is by wards there shall be a separate ballot box for each ward. 1918, c. 33, s. 6.

Deputy  
Returning  
Officer.

8. In a municipality where the election is by general vote the clerk or some other person appointed by him shall act as Deputy Returning Officer, and in a municipality where the election is by wards the clerk may act as Deputy Returning Officer for one or more wards or may appoint one or more persons to act as Deputy Returning Officers for one or more wards, and may also appoint as many poll clerks as there are Deputy Returning Officers. 1918, c. 33, s. 7.

Declaration  
of railway  
employee.

9.—(1) Every railway employee offering himself as a voter at the polling place before being allowed to vote shall be required by the Deputy Returning Officer to make the following declaration, which shall be kept by the Deputy Returning Officer with the other records of the poll:

I, \_\_\_\_\_, declare that I am at present employed by \_\_\_\_\_ railway company or by the Post Office Department, or by the \_\_\_\_\_ Express Company, (*as the case may be*), and that I expect in the course of my employment to be absent from this municipality on the day for holding the poll at the annual municipal election.

Dated at \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Name of voter).

Witness:

Deputy Returning Officer.

1918, c. 33, s. 8; 1922, c. 73, s. 2; *amended*.

(2) Every commercial traveller offering himself as a voter at the polling place, before being allowed to vote shall produce his certificate of membership in a Commercial Travellers Association to the Deputy Returning Officer, and, if required, make the following declaration which shall be kept by the Deputy Returning Officer with the other records of the poll:

Declaration of commercial traveller.

I, \_\_\_\_\_, declare that I am a member of the \_\_\_\_\_ Commercial Travellers Association; that the number of my certificate of membership for the current year is \_\_\_\_\_, and that I expect in the course of my business to be absent from this municipality on the day for holding the poll at the annual municipal election.

Dated at \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Name of voter).

Witness:

Deputy Returning Officer.

*New.*

(3) Any person signing any declaration set out in this section knowing the statements therein are false, shall incur a penalty of not less than \$25, nor more than \$100. 1918, c. 33, s. 8 (2); *amended*.

Penalty for false statement.

(4) The Poll Clerk shall record in the poll book in the column headed "Remarks" after the name of each railway employee who votes, a note that he has signed the declaration above set out, and after the name of each commercial traveller who votes a note of the number of his commercial travellers certificate, and a note as to whether or not he has

Record in poll book.

signed the declaration set out in subsection 2. 1918, c. 33, s. 8 (3); *part*.

Qualification  
to vote.

**10.** No person shall be entitled to vote unless his name appears on the last revised voters' list for the municipality. 1918, c. 33, s. 9.

Oath.

**11.** The Deputy Returning Officer and every candidate or his agent may require that the voter, before being handed a ballot, take the oath to be administered to a voter under *The Consolidated Municipal Act, 1922*. 1918, c. 33, s. 10.

Fixing of  
seals.

**12.** At the close of the poll each day the Deputy Returning Officer and any candidate or agent present who desires to do so shall affix his seal to the ballot box in such a manner that it cannot be opened or any ballots be deposited in it without breaking such seals. 1918, c. 33, s. 11.

1918, c. 33,  
and amend-  
ments  
thereto  
repealed.

**13.** *The Railway Employees Voting Act, 1918*, as amended by 10-11 George V, c. 62, and as further amended by 12-13 George V, c. 73, is repealed.











4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to enable Railway Employees and  
Commercial Travellers to Vote at  
Municipal Elections before  
Polling Day.

1st Reading,	9th February, 1923.
2nd Reading,	16th February, 1923.
3rd Reading,	1923.

*(Reprinted as amended by the Legal Com-  
mittee.)*

MR. STEVENSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Assessment Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 2 of section 5 of *The Assessment Act* is repealed and the following substituted therefor:—  
Rev. Stat.,  
1914, c. 195,  
s. 5, par. 2,  
repealed.
2. Every place of worship occupied as such by any religious denomination and land used in connection therewith, and every churchyard, cemetery and burying ground.  
Churches,  
etc.
2. Subsection 9 of section 10 of the said Act is repealed.  
Rev. Stat.,  
1914, c. 195,  
s. 10 (9)  
repealed.
3. Clause *b* of subsection 1 of section 11 of the said Act is repealed and the following substituted therefor:—  
Rev. Stat.,  
1914, c. 195,  
s. 11 (1)  
cl. (b),  
repealed.
  - (b) Every person, although liable to business assessment under section 10, shall also be assessed in respect of any income as defined by clause *e* of section 2 of this Act, excepting the actual profits from the business in respect of which an incorporated company is assessable for business assessment under section 10. Such profits shall not be deemed to include investment income.
  - (i) Clause *b* shall not include an insurance company, a loan company or a trust company, as defined by this Act, or a land company or a loaning land corporation or a chartered bank.
4. Section 11 of the said Act is amended by adding after subsection 2 the following as subsection 2*a*:—  
Rev. Stat.,  
1914, c. 195,  
s. 11,  
amended.
  - (2*a*) Where the fiscal year of any person does not end on the thirty-first of December then last past, such person shall make a return of the income from  
Where  
fiscal year  
does not end  
on 31st  
Dec.

such business for the last fiscal year, and such return for the purposes of assessment and taxation shall be deemed to be a return for the year ending on the thirty-first day of December then last past.

- (i) Subsection 2a shall be read and construed as if it had been in force on the first day of January, 1923.

Rev. Stat., 1914, c. 195, s. 13, amended. **5.** Section 13 of the said Act is amended by adding thereto the following as subsection 5:—

- (5) The gross amount of income received by an estate under subsection 3 shall in the first year include the amount of income received by the testator from the first day of January in the year in which he died until the date of his death.

Rev. Stat., 1914, c. 195, s. 19a (1), repealed. **6.** Subsection 1 of section 19a of the said Act is repealed and the following substituted therefor:—

Declaration as to income

- 19a.—(1) Every person in receipt of an income liable to assessment shall within the time fixed by by-law of the council, forward to the assessor or assessment commissioner (if any), a statutory declaration according to the form referred to in subsection 1a of section 18, showing his total income from all sources received during the year ending on the thirty-first day of December then last past. Provided, however, that this section shall not apply to persons who have made a return to the assessor upon request as provided by section 18.

Proviso.

Rev. Stat., 1914, c. 195, s. 40a (5), amended. **7.** Subsection 5 of section 40a of the said Act is amended by adding thereto the following words:—

“or a building in which any business is carried on in respect of which a business assessment is made under section 10.”

Rev. Stat., 1914, c. 195, s. 45a (1), amended. **8.** Subsection 1 of section 45a of the said Act is amended by inserting after the word “owned” in the first line, the words “or leased.”

Rev. Stat., 1914, c. 195, s. 118 (1), amended. **9.** Subsection 1 of section 118 of the said Act is amended by striking out the following words: “and with or without notice, receive and decide upon the petition,” in the fourth and fifth lines, and substituting therefor the words: “and upon at least five days’ notice in writing, receive and decide upon an application.”



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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Assessment Act.

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1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR. LEWIS

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of  
Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. Paragraph 2 of section 5 of *The Assessment Act* is amended Rev. Stat.  
c. 195, s. 5.  
par 2,  
amended. by inserting after the word "therewith" in the second line the words "including land held, used and occupied as a residence for a clergyman of any church or congregation," so that the paragraph will read as follows:—

2. Every place of worship and land used in connection therewith, including land held, used and occupied as a residence for a clergyman of any church or congregation, and every churchyard, cemetery or burying ground.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act to amend The Assessment Act.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. LEESON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Land Titles Act.

**HIS MAJESTY**, by and with the advice and consent of  
Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Land Titles Amendment Act, 1923.* Short title

**2.** *The Land Titles Act* is amended by adding thereto the following section:— Rev. Stat.  
c. 126,  
amended.

55a.—(1) Each instrument under this Act shall by endorsement thereon show the full name and place of residence, giving the street number (if any) of the grantee or chargee, as the case may be. Instrument to show address of grantee or chargee.

(2) The Master of Titles shall upon request furnish to the Clerk or to the Assessment Commissioner or Assessor of any municipality a list of all conveyances whereby land in the municipality has been transferred, which have been registered in his office during the next preceding year or any part thereof, and any such list shall include the names of the grantor, the grantee or chargee, and place of residence of each, the consideration shown in each instrument and a short, but definite description of the land transferred or charged, but shall not include leases for less than twenty-one years. Master of titles to furnish Clerk or Assessment Commissioner with list of conveyances upon request.

**3.** This Act shall come into force on the 1st day of July, 1923. Commencement of Act.

No. 93.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act to amend The Land Titles Act.

1st Reading,	9 th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR J. W. CURRY.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Registry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Registry Amendment Act*, Short title 1923.

**2.** *The Registry Act* is amended by adding thereto the following section:— Rev. Stat. c. 124, amended.

**45a.** Every deed or conveyance and every charge or mortgage registered under this Act, shall by endorsement thereon show the full name and place of residence, giving the street number (if any), of the grantee or mortgagee, as the case may be. Deed, conveyance and mortgage to contain full name and address of grantee or mortgagee.

**3.** Section 100 of the said Act is repealed and the following substituted therefor:— Rev. Stat. c. 124, s. 100 repealed.

**100.** The Registrar shall upon request furnish to the Clerk, or to the Assessment Commissioner, or Assessor of any municipality, a list of all conveyances whereby land has been transferred, which have been registered in his office during the next preceding year or any part thereof, and in such list shall include the names of the grantor, the grantee or mortgagee, and place of residence of each, the consideration shown in each instrument and a short but definite description of the land conveyed or mortgaged, but shall not include leases for less than twenty-one years; and the Registrar shall be entitled therefor to a fee of five cents for every instrument included in the list. Registrar to furnish Clerk or Assessment Commissioner with list of conveyances upon request.

**4.** This Act shall come into force on the 1st day of July, Commencement of Act. 1923.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act to amend The Registry Act.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR J. W. CURRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated  
Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario  
enacts as follows:—

1. *The Consolidated Municipal Act, 1922* is amended by <sup>1922, c. 72</sup>  
adding the following as section 460a:—  
amended.

460a. The approval by the council of a municipal cor- <sup>Effect of</sup>  
poration of a plan under *The Planning and Develop-* <sup>approval of</sup>  
*ment Act* shall not be deemed to be an assumption <sup>plan.</sup>  
for public use by the corporation of the highways  
shown on the plan so as to render the corporation  
liable for repair, or from damages resulting from  
non-repair within the meaning of section 460.

4th Session, 15th Legislature,  
13 Chapter V, 1923.

BILL

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. J. W. CURRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Division Courts Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Division Courts Amendment Act, 1923*. Short title.

**2.** Section 83 of *The Division Courts Act* is amended by adding thereto the following subsection:— Rev. Stat. c. 63, s. 83, amended.

(3) In an action upon which an appeal lies under this Act, the plaintiff in his statement of claim shall state whether he waives his right of appeal or not, and the defendant on filing his defence shall state whether he waives his right of appeal or not. Where right of appeal waived.

**3.** Subsection 1 of section 106 of *The Division Courts Act, 1920*, is amended by inserting after the figures "107" in the sixth line thereof, the words "or both parties by their pleadings have waived their right of appeal as provided by section 83," so that the subsection will now read as follows:— 1920, c. 34, s. 106, subs. 1, amended. Evidence.

(1) The Clerk shall place all actions in which the sum sought to be recovered exceeds \$100 at the foot of the trial list and the judge shall in such cases, unless an agreement not to appeal has been signed and filed, as provided by section 107 or both parties by their pleadings have waived their right of appeal as provided by section 83, take down the evidence in writing or cause the same to be taken down in shorthand by a shorthand writer appointed under section 18 of *The County Judges Act* or by some other competent person. Order in which actions over \$100 to be tried.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act to amend The Division Courts  
Act.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SINCLAIR.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



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No. 97.

1923.

# BILL

An Act to amend The Consolidated  
Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. Paragraph 27 of section 398 of *The Consolidated Muni-* 1922, c. 72,  
*cipal Act, 1922*, is amended by striking out all the words <sup>s. 398, par. 27</sup> amended.  
after the word "injuries" in the fourth line thereof.

No. 97.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	9th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SINCLAIR.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Vocational Education Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Vocational Education Amendment Act, 1923.* Short title.

**2.** The subclause numbered (ii) in clause *a* and the subclause numbered (ii) in clause *b* of subsection 1 of section 8 of *The Vocational Education Act* are respectively amended by inserting after the word "situate," the words "and who shall be nominated by the local trades and labour council, if any, as certified by the secretary of the council to the secretary of the board under the seal of the trades and labour council." 1921, c. 90, s. 8, cl. a (ii). and cl. b (ii) amended. Representa- tives of employees on advisory committee.

**3.** The subclause numbered (iii) in clause *a* and the subclause numbered (iii) in clause *b* of subsection 1 of section 8 of *The Vocational Education Act, 1921*, are respectively amended by inserting after the word "situate" in the last line, the words "and who shall be nominated by the local employers' association, if any, as certified by the secretary of the association to the secretary of the board." 1921, c. 90, s. 8, cl. a (iii), and cl. b (iii). amended. Representa- tives of employers on advisory committee.

**4.** This Act shall come into force on the day upon which it receives the Royal assent. Commence- ment of Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Vocational  
Education Act.

1st Reading,	12th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. STEVENSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend the Dog Tax and Sheep Protection Act, 1918.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Dog Tax and Sheep Protection Amendment Act, 1923.* Short title.

**2.** *The Dog Tax and Sheep Protection Act, 1918*, is amended 1918, c. 46.  
Amended. by inserting after section 6 the following, as section 6a.:—

**6a.** The Council of a local municipality may by a by-law, Collection  
by Assessor. authorize the collection of the tax imposed by this Act, to be made by the assessor when making his annual assessment, and in such event the assessor shall have the same powers for imposing penalties for non-payment, which the collector has under this Act.

**3.** This Act shall come into force on the day upon which Commence-  
ment of  
Act. it receives the Royal Assent.

No. 99.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Dog Tax and Sheep  
Protection Act, 1918.

1st Reading,	12th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SWAYZE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Ontario Insurance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Insurance Amendment Act, 1923.* Short title.

**2.** *The Ontario Insurance Act* is amended by adding thereto the following sections:— Rev. Stat. c. 183, amended.

**193a.** A company licensed under this Act to carry on fire insurance shall not make, write, place or cause to be placed, made or written any policy, duplicate policy or contract of insurance upon property, real or personal, situate in Ontario or described in any policy, duplicate policy or contract of insurance as situate in Ontario, until such risk has been approved by an agent of that company who is resident in the Province and who holds a certificate of authority from the superintendent and such agent shall sign or countersign and make a complete and proper office record of every such policy before the issue thereof, and he shall receive the commission or any part thereof when the premium stipulated in such policy, duplicate policy or contract of insurance is paid. Approval of risk before issue of policy.

**193b.** Nothing in the preceding section shall apply to direct insurance covering rolling stock of railroad corporations or property in transit while contained in such rolling stock. Not to apply to rolling stock or contents.

**193c.** A resident agent shall not sign any blank policy or contract of insurance. Resident agents not to sign blank contracts.

Nor give  
power of  
attorney to  
non-  
resident.

193*d*. A resident agent shall not give any power of attorney to persons residing outside the Province of Ontario for the purpose of signing or countersigning any policy of insurance.

Penalty.

193*e*. Every fire insurance company which issues a contract of insurance save as hereinbefore mentioned shall be guilty of an offence and shall incur a penalty of not less than \$100 nor more than \$200 for each contract of insurance so issued, and in default of payment of such penalty, shall upon the request of the Superintendent, have its license cancelled.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.





No. 100.

4th Session, 15th Legislature.  
13 George V, 1923.

BILL.

An Act to amend The Ontario  
Insurance Act.

1st Reading,	14th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. JOHNSTON  
(Simcoe).

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Workmen's Compensation Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Workmen's Compensation Amendment Act, 1923.* Short title.

**2.—(1)** Subsection 1 of section 60 of *The Workmen's Compensation Act* is amended by inserting at the commencement thereof the words, "subject to the provisions of subsection 5," and by striking out all the words after the word "Board" in the fifth line, so that subsection will now read as follows:—

(1) Subject to the provisions of subsection 5, the Board shall have exclusive jurisdiction to examine into, hear and determine all matters and questions arising under this Part and as to any matter or thing in respect to which any power, authority or discretion is conferred upon the Board.

(2) Section 60 of *The Workmen's Compensation Act* is amended by adding thereto the following subsection:—

(5) An appeal from the decision of the Board shall lie and may be had in like manner and to the same extent as from the decision of a judge trying an action in a county or district court.

**3.** *The Workmen's Compensation Act* is amended by adding thereto the following section:—

21a. Every workman and his dependants and every employer in any proceedings under this Act may be represented before the Board by a solicitor or agent, but no greater fee than \$10 exclusive of actual disbursements shall be allowed on taxation to such solicitor or agent. Right to Counsel.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 101.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Workmen's  
Compensation Act.

1st Reading,	14th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. JOHNSTON,  
(Simcoe).

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

1. Subsection 1 of section 193 of *The Consolidated Municipal Act, 1922*, is repealed and the following substituted therefor:—

1922, c. 72,  
s. 193, subs  
1, repealed.

193.—(1) The first meeting of every council, except a county council, shall be held on the second Monday in January of the year for which the council is elected, at eleven o'clock in the forenoon; and the first meeting of every county council shall be held on the fourth Monday of the same month, at two o'clock in the afternoon, but the council of any county may, by by-law, provide that the first meeting shall be held at half-past seven o'clock in that evening, or at ten o'clock of the Tuesday the next day following instead of two o'clock in the afternoon of the previous day as herein named.

First meet-  
ing of  
Council.

4th Session, 15th Legislature.  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	14th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. JOHNSTON (Simcoe).

TORONTO:

PRINTED BY CLARKSON W. JAMES

Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Ontario Railway Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Railway Amend- Short title.  
ment Act, 1923.*

2. Subsections 1 and 2 of section 265 of *The Ontario Railway Rev. Stat.  
Act* are repealed and the following substituted therefor:— c. 185, s. 265,  
subs. 1, 2,  
repealed.

(1) Subject to subsection 4 of section 139, an action Limitation.  
shall not lie for the recovery of damages for the breach of any contract, express or implied, or for trespass or negligence in the construction, equipment, maintenance, or operation of a railway after the expiration of three months from the time when the cause of the action arose, or if there is a continuance of the damage, within three months next after the doing or committing of such damage ceases.

(2) No such action shall lie unless notice in writing Notice.  
containing a statement of the particular act or omission complained of has been served upon, or sent by registered post, to the company or to one of the chief officers of the company within seven days after the happening of such act or omission.

(a) Where by reason of death or from any other cause the court or judge before whom the action is tried is of opinion that there is reasonable excuse for the want or insufficiency of any such notice and that the company was not thereby prejudiced in its defence, the court or judge may direct that the failure to give, or the insufficiency of the notice, shall not be a bar to the action.

3. This Act shall come into force on the day upon which Commence-  
it receives the Royal Assent. ment of Act.

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No. 103.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Ontario Railway Act.

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1st Reading,	14th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR. THOMPSON.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Highway Improvement Amendment Act, 1923.* Short title.
2. Section 26a of *The Highway Improvement Act* as enacted 1916, c. 14, s. 6, by section 6 of *The Highway Improvement Act, 1916*, is amend-amended. ed by adding thereto the following subsection:—
  - (3) Where a by-law has been passed by the council of a county under subsection 1 the representatives in the council of the county of any municipality not included in the system of roads established under the by-law and not liable to assessment thereunder shall not thereafter be entitled to vote in the council or on any committee thereof upon any by-law, resolution, report or other matter relating to such system, and every such matter shall be determined by the votes of the representatives of the municipalities included in such system. Sectional by-law,— only representatives of municipalities included to vote.
3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 104.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Highway  
Improvement Act.

1st Reading,	14th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** *The Local Improvement Act* is amended by adding Rev. Stat. c. 193, amended. thereto the following section:

**39a.**—(1) Where the whole or any part of the cost of a Reassessment of part of cost of work in connection with new plan of subdivision, etc. work has been specially assessed upon lots shown and laid down on a registered plan, if, during any year in which the special rate imposed to provide for the owners' share of the cost of such work is payable, such plan is amended, or a new plan is registered, and any or all of the lands laid down upon such earlier plan are subdivided, re-subdivided, replotted, renumbered or altered, the council may by by-law to be passed upon the petition of the person filing such new or amended plan, or upon the petition of a majority of the owners of the lots delineated thereon, reassess so much of the cost of such work as would otherwise be imposed upon the lots shown upon such earlier plan, in and after the year following the year in which such by-law is passed, upon the lots shown upon such new, substituted or amended plan.

(2) Upon making such reassessment the council shall Procedure. proceed as provided by sections 30, 31 and 32, and the provisions of section 24 and of sections 33 to 39 shall apply, but it shall not be necessary for the council to comply with the provisions of any other sections of this Act.

(3) Such reassessment shall be made in such manner, Corporation's portion of cost, etc. that the corporation's portion of the cost of the work shall not be greater than it would have been,

if such reassessment had not been made, and the total amount assessable against the lots shown upon such new or amended plan shall equal the total amount assessed against the lands shown upon such cancelled or amended plan.



4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Local  
Improvement Act.

1st Reading,	14th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HILL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated  
Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. Clause s of subsection 1 of section 53 of *The Consolidated Municipal Act, 1922*, is amended by adding at the end thereof the words "but this clause shall not apply to a person who is a tenant holding under a lease which provides that the landlord shall pay the taxes and who qualifies in respect of land other than that covered by such lease."<sup>1922, c. 72,  
s. 53, subs. 1,  
cl. s,  
amended.  
Disqualifi-  
cation.</sup>

No. 106.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	14th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. NICKLE.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

To amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 20 of *The Assessment Act* as amended by Rev. Stat. c. 195, s. 4, section 4 of *The Assessment Amendment Act, 1922*, is repealed par. 20, repealed. and the following substituted therefor:—

20. The annual income of a person assessable directly Exemption of income. in respect of income under this Act to the amount of \$2,000 if such person is a householder in the municipality and assessed as such or being the head of a family occupies with his family any portion of a dwelling house although not assessed therefor, and the annual income of every person not being such householder or head of a family to the amount of \$1,000 or in the case of a widow or a person over 60 years of age to the amount of \$2,000.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading,	14th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. J. W. CURRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 108.

1923.

# BILL

An Act to amend The Municipal Franchise  
Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario  
enacts as follows:—

1. Section 8 of *The Municipal Franchise Act, 1922* is <sup>1922, c. 74,</sup>  
amended by striking out the words "In cities having a popula- <sup>s. 8,</sup> amended  
tion of not less than 100,000," at the commencement thereof.

No. 108.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Municipal Franchise  
Act, 1922.

1st Reading, 16th February, 1923.  
2nd Reading, 28th February, 1923.  
3rd Reading, 1923.

*(Reprinted as amended by the Municipal  
Committee).*

MR. ASMUSSEN

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 460 of *The Consolidated Municipal Act, 1922*, is <sup>1922, c. 72,</sup> amended by adding thereto the following subsection:— <sup>s. 460,</sup> amended.

(12) Where that portion of a highway prepared for vehicular travel is in a reasonable and ordinary state of repair, no condition whatsoever of that portion of the highway which is not within the portion prepared for vehicular traffic, shall render the municipal corporation of a township or county liable for damages by reason of accident or injury sustained on any such highway by a horse or vehicle, or its contents, or by the owner, driver or other occupant of a vehicle.

Non-liability for damages for injuries in certain cases.

(a) That portion of a highway prepared for vehicular traffic shall not be deemed to include any part of an open ditch, drain, side slope or curb, nor any part of what is commonly known as the roadside.

2. Subsection 4 of section 460 of *The Municipal Act* is <sup>1922, c. 72,</sup> amended by striking out the words "thirty days" in the <sup>s. 460, subs. 4, amended.</sup> sixth line and substituting the words "ten days."

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Municipal Franchise  
Act, 1922.

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1st Reading,	16th February, 1923.
2nd Reading,	28th February, 1923.
3rd Reading,	1923.

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*(Reprinted as amended by the Municipal  
Committee).*

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MR. ASMUSSEN

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated Municipal Act, 1922.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 460 of *The Consolidated Municipal Act, 1922*, is <sup>1922, c. 72,</sup> amended by adding thereto the following subsection:— <sup>s. 460,</sup> <sup>amended.</sup>

(12) Where that portion of a highway prepared for vehicular travel is in a reasonable and ordinary state of repair, no condition whatsoever of that portion of the highway which is not within the portion prepared for vehicular traffic, shall render the municipal corporation of a township or county liable for damages by reason of accident or injury sustained on any such highway by a horse or vehicle, or its contents, or by the owner, driver or other occupant of a vehicle.

(a) That portion of a highway prepared for vehicular traffic shall not be deemed to include any part of an open ditch, drain, side slope or curb, nor any part of what is commonly known as the roadside.

**2.** Subsection 4 of section 460 of *The Municipal Act* is <sup>1922, c. 72,</sup> amended by striking out the words "thirty days" in the <sup>s. 460, subs.</sup> <sup>4, amended.</sup> sixth line and substituting the words "ten days."

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Consolidated  
Municipal Act, 1922

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1st Reading,	16th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR. DENYES.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to regulate the Public Automobile Garages and Service Stations in the Province of Ontario, and to govern the employment and examination of Automobile Mechanics employed therein.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Automobile Mechanics Regulation Act, 1923.* Short title.

**2.** In this Act:—

Interpreta-  
tion.

- (a) "Garage" shall mean any building used for the adjusting or repair of any motor vehicle operating on the public highways of the Province of Ontario. "Garage."
- (b) "Board" shall mean Board of Examiners, appointed as hereinafter provided. "Board"
- (c) "Minister" shall mean the member of the Executive Council charged by the Lieutenant-Governor in Council with the administration of the Act. "Minister."

**3.** Nothing in this Act shall apply to any garage, owned or occupied by any individual, corporation, or commission, provided such garage is used solely for the repair and upkeep of their respective motor vehicles. "Exemptions."

**4.—(1)** The Lieutenant-Governor in Council may appoint a Board to hold office during pleasure, consisting of three competent mechanics, skilled in the practical construction, operation and repair of motor vehicles, and qualified to pass the examination of first-class automobile mechanics. Board of Examiners constitution and powers.

(2) Subject to the regulations mentioned in the following sections, the Board shall determine the subjects in which candidates for certificates of qualification as automobile mechanics shall be examined, and shall conduct or provide for, and supervise the examination of candidates, and report therefrom to the Minister.

**Regulations.** **5.** The Lieutenant-Governor in Council upon the recommendation of the Minister may make regulations for:—

- (a) The examination of candidates, the granting of certificates, the classifying of the holders of these certificates into their respective grades, the evidence to be furnished by candidates as to their previous training and experience, and the recording of changes made in the various grades of automobile mechanics;
- (b) Determining the fees to be paid by candidates upon examination and for certificates;
- (c) Determining the duration of certificates, and the fees to be paid for their renewal;
- (d) Fixing the fees or other remuneration to be paid to members and other officers of the Board;
- (e) Fixing the fees to be paid by garage owners or occupiers for certificates of registration.

**Certificates of qualification.** **6.—(1)** On the recommendation of the Board, and on payment of the prescribed fees the Minister may issue certificates of qualification to automobile mechanics.

**Particulars as to garages to be furnished by owners or occupiers.** (2) It shall be the duty of every owner or occupier of a public service garage to advise the Board on a printed form supplied by the Board on application, the number of qualified automobile mechanics employed in such garage, also the number of automobile mechanics who do not hold certificates of qualification, on receipt of which together with the prescribed fee, the Minister may issue a registration certificate, certifying to which class this garage belongs.

**Appeal to Minister from the decision of the Board.** **7.** Any person aggrieved by the decision of the Board may appeal therefrom to the Minister after such notice as the Minister may prescribe, and the decision of the Minister shall be final.

**8.** The Board shall, on or before the 15th day of January Annual report of the Board. in every year, make to the Minister a report in writing for the year ending on the 31st of December of the previous year, showing:—

- (a) The number and grade of certificates granted to qualified automobile mechanics;
- (b) The number of certificates granted to owners or occupiers of public service garages employing qualified automobile mechanics;
- (c) The number of applications for certificates refused, and the cause of refusal;
- (d) The amount of fees received from holders or applicants for qualified automobile mechanics' certificates;
- (e) The number of garages registered during the year;
- (f) The amount of fees received from garage owners or occupiers for registration purposes;
- (g) Such other matters as may be directed by the Minister or Lieutenant-Governor in Council.

**9.** Any member of the Board, or any inspector on presentation of authority in writing signed by the Minister, Right to enter premises. may enter any garage registered under this Act, and make such inspection as may be necessary to determine whether the provisions of this Act are being complied with.

**10.** Any person who interferes with, or obstructs a member or officer of the Board in the exercise of the powers conferred on him, shall be guilty of an offence and shall incur a penalty not exceeding \$200. Penalty for interfering.

**11.** The penalties provided by this Act shall be recoverable under *The Ontario Summary Convictions Act*. Penalties, how recoverable; Rev. Stat, c. 90.

**12.** Certificates for qualified automobile mechanics shall be of two grades, as follows:— Certificates of examination.

- (a) First class automobile mechanics.
- (b) Second class automobile mechanics.

**13.—(1)** A mechanic who has acquired sufficient practical experience to demonstrate his mechanical knowledge Classification of automobile mechanics.

to the satisfaction of the Board, in the dismantling, repairing, rebuilding, and adjusting of motor vehicles and a mechanic who has acquired sufficient practical experience to demonstrate his mechanical knowledge to the satisfaction of the Board, in the rebuilding, repairing and adjusting of electric motors, generators, batteries, magnetos and all electric work as applied to motor vehicles shall be entitled to rank as a first class automobile mechanic on obtaining ninety per cent., and shall be entitled to rank as second class automobile mechanic on obtaining seventy-five per cent. on the examination papers which he is required to write.

Require-  
ments of  
candidates.

(2) A candidate for first or second class automobile mechanic certificate shall be required:—

- (a) To be at least twenty-one years of age;
- (b) To furnish such evidence as the Board may determine as to his mechanical experience;
- (c) To answer the questions on the examination papers;
- (d) To pay a fee of \$3 at the time application is made for examination, which fee shall not be returned to the applicant should he fail to pass the examination.

Examina-  
tion  
questions.

(3) The examination shall consist of questions upon the construction, operation, adjusting and repairing of motor vehicles, and the care of electric motors and generators, and any other electrical work as applied to motor vehicles, together with questions on the general management of a garage.

When to be  
furnished.

(4) Examination papers shall be furnished only at the time of examination and under no circumstances shall they be furnished by mail.

To be  
written.

(5) Examinations shall be written, but should the Board deem it necessary it may subject the applicant to an oral examination on the questions contained in the examination papers, and may have him demonstrate his mechanical knowledge in the rebuilding, repairing and adjusting of automobiles or any parts thereof in any place as determined by the Board.

Re-exam-  
ination.

(6) In the event of a candidate failing in his examination six months shall elapse before he becomes eligible for re-examination.

**14.** On the recommendation of the Board, and on payment of the prescribed fees, the Minister may issue a special certificate of registration to garages, certifying that the percentage of certificated automobile mechanics as required by this Act, that is to say, twenty per cent. first-class and forty per cent. second-class, are employed therein, and such garage license shall entitle the holder thereof to have his name, address and qualifications as such forwarded to the Provincial Automobile Bureau, to the automobile clubs, and to the owners of automobiles and motor vehicles in the Province, at such times and in such manner as the Minister may direct, and the Minister shall authorize the owner or occupier of such licensed garage to advertise that he is or has in his employ in such licensed garage the required number of certificated automobile mechanics, entitling him to hold such certificate of registration. Any garage owner or occupier where repairs are made may obtain his ordinary license, and make those repairs without having himself, or any of his employees having obtained a certificate of efficiency as a qualified mechanic, but such a garage cannot be advertised as employing certificated automobile mechanics working therein, nor enjoy the benefits accruing to the title, unless the occupier or the employees obtain such certificate of efficiency and the garage holds a special certificate as such.

**15.** An automobile mechanic's license shall only be in force while the licensee is employed in a garage holding a special certificate of registration.

**16.** Any person who falsely holds himself out as the holder of an automobile mechanic's license and any garage owner or occupier who makes a false advertisement in contravention of this Act or of any regulations made thereunder shall be guilty of an offence against this Act.

**17.** The Minister may suspend or revoke a license issued under this Act.

**18.** This Act shall come into force on the day upon which it receives the Royal Assent.





4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to regulate the Public Automobile  
Garage and Service Stations in the  
Province of Ontario, and to govern  
the employment and examination  
of Automobile Mechanics em-  
ployed therein.

1st Reading,	19th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

Mr. HOWITT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 265 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72, s. 265,</sup> is amended by inserting after subsection 3 the following as amended.  
subsection 3a:—

(3a) In cities and towns, tenants having leases for at least <sup>Leases.</sup> twenty-one years and rated on the last revised assessment roll as lessees shall be entitled to vote on money by-laws without filing the declaration referred to in subsection 3.

**2.** Section 400 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72, s. 400,</sup> is amended by inserting after paragraph 4b the following as amended.  
paragraph 4c:—

*Residences for one family and duplex houses.*

(4c) For prohibiting the use of land or the erection or use <sup>Residences and duplex</sup> of buildings within any defined area or areas or <sup>houses.</sup> abutting on any defined highway or part of a highway for any other purpose than that of a residence for one family or duplex houses for two families.

**3.** Paragraph 4 of section 406a of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72, s. 406a</sup> is amended by inserting after clause a the amended.  
following as clause b:—

(b) For revoking the license.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend  
The Consolidated Municipal Act, 1922.

1st Reading,	19th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. CRAWFORD.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated Municipal  
Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** Subsection 2 of section 53 of *The Consolidated Municipal* <sup>1922, c. 72,</sup>  
*Act, 1922,* is amended by adding thereto the following as <sup>s. 53, subs. 2</sup> amended.  
clause *h* :

- (*h*) A person who has entered into an agreement  
of sale with a Municipal Housing Commission  
or any assignee of such person.

No. 112.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend  
The Consolidated Municipal Act, 1922.

1st Reading,	21st February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. CROCKETT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Public Schools Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Schools Amendment Act, 1923*. Short title.

**2.** Subsection 2 of section 58 of *The Public Schools Act, 1920, c. 100, 1920*, is amended by striking out the word "ratepayer" in s. 58, subs. 2, amended. the first line and substituting therefor the word "elector," so that the subsection will now read as follows:—

- (2) Any elector in an urban municipality who is a British Who may be elected trustee. subject, and who resides in the municipality, or in the case of a city, or town, within one mile from the boundaries of the municipality, and who is of the full age of twenty-one years and not disqualified, may be elected a public school trustee and every trustee except as otherwise herein provided, shall continue in office until his successor has been elected, and a new board organized, but no person who is not a British subject shall be elected or competent to act as trustee.

**3.** This Act shall come into force on the day upon which it Commence-  
ment of  
Act. receives the Royal Assent.

No. 113.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Public Schools Act.

1st Reading,	21st February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. CROCKETT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Public Health Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Health Amendment Act, 1923.* Short title.

**2.** *The Public Health Act* is amended by adding thereto the following section:— Rev. Stat., c. 218, amended.

93a.—(1) Where the Provincial Board of Health has reported as provided in subsection 1 of section 96, and the carrying into effect of the recommendations of such report will involve a connection with, or an extension of works in another municipality, or an outlet from such municipality for the supply of water, or the rendering of any service by one municipality to another, the council of each municipality affected shall forthwith pass the necessary by-law to give effect to such recommendation, and each of the corporations required to construct any work for the purpose of carrying out such recommendations shall immediately commence the same and carry the work to completion without unnecessary delay, but nothing herein contained shall apply to or effect any work undertaken under an agreement heretofore or hereafter entered into and approved of by the Provincial Board and the Ontario Railway and Municipal Board. Connection with works in another municipality.

(2) The Ontario Railway and Municipal Board, upon the application of the corporation of any municipality affected by the regulations of the Provincial Board, may in default of an agreement by the municipal corporations interested, impose conditions and settle the terms upon which the required works shall be constructed and maintained and the rates and charges to be imposed for any service rendered by one municipality to another, and the manner of apportioning and regulating any amounts required from time to time to cover the cost of such construction and maintenance. Apportionment of costs.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Public Health Act.

1st Reading,	21st February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. CROCKETT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



BILL

An Act to amend The Religious Institutions Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Religious Institutions Amendment Act, 1923.*

Short title.
2. Section 11 of *The Religious Institutions Act* is amended by adding thereto the following subsection:

Rev. Stat. c. 286, s. 11, amended.
- (4) Where a congregation has ceased to exist and the property of such congregation has not been used for a period of five years, the trustees for the time being may apply to the Judge of the County or District Court of the County or District in which the property is situate, for an order directing the sale of such property and the trustees may, after obtaining such order, sell the property and the proceeds of such sale shall, after the settlement of all debts against the property, be applied under the direction of the Judge to such religious or charitable purposes as the trustees may deem proper.

Sale of property where congregation has ceased to exist.
3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

No. 115.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Religious  
Institutions Act.

1st Reading,	22nd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. CROCKETT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated Municipal Act, 1922.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 247 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72,</sup> is amended by striking out the words, "and who, while in <sup>s. 247,</sup> such service, has become incapable, through illness or old age, of efficiently discharging the duties of his office," in the third, fourth and fifth lines thereof, so that the section as amended will read as follows:—

247. A council may grant to any officer who has been in <sup>Gratuities.</sup> the service of the corporation for at least twenty years, a sum not exceeding the aggregate of his salary or other remuneration for the next preceding three years of his service, as a gratuity upon his ceasing to hold the office.

2. The said Act is amended by adding after section 247 <sup>1922, c. 72,</sup> the following as section 247a:— <sup>amended.</sup>

247a. Instead of granting a sum to any officer under the <sup>Retiring</sup> provisions of the preceding section, a council may <sup>allowances.</sup> grant an annual retiring allowance to any such officer during the remaining years of his life not exceeding three-fifths of his average annual salary for the next preceding three years of his service on ceasing to hold his office and such allowance may be payable weekly, semi-monthly or otherwise as the council may deem proper.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

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1st Reading,	22nd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR. HOMUTH.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Assessment Act* is amended by adding thereto the following as section 100a:—

Rev. Stat.  
1914, c. 195,  
amended.

- 100a.—(1) Notwithstanding anything contained in this Act, the council of any city or town may pass a by-law to provide for the levy and collection of taxes which are not a lien upon the land, during the year in which the assessment is made, the rate of taxation to be the rate fixed by the council of the municipality for that year.
- (2) The by-law shall provide for separate assessment and collectors rolls but in other respects the provisions of this Act with respect to notice and payment of taxes and distress for arrears of taxes shall apply, and persons so assessed and taxed to have the right of appeal as provided in section 118.

Collection of  
taxes in year  
in which  
assessment  
is made.

Application  
of provisions  
Rev. Stat.  
1914, c. 195.

No. 117.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading,	22nd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MACBRIDE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Public Parks Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Parks Amendment Act, 1923*. Short title.

2. Subsection 3 of section 18 of *The Public Parks Act*, as amended by section 1 of *An Act to amend The Public Parks Act, 1920*, is repealed and the following substituted therefor; Rev. Stat. 1914, c. 203, s. 18 (3), as amended by 1920, c. 70, s. 1, repealed

(3) The council shall, in addition to other rates and assessments for municipal purposes, levy and assess in every year a special annual rate, sufficient to furnish the amount required for the year, but not exceeding one-half mill in the dollar in the case of municipalities having a population of less than 25,000, and one mill in the dollar in the case of other municipalities, upon the assessed value of all rateable, real and personal property. Such rate shall be called "The Park Fund Rate" and shall be deemed to be included in the limit of the rate authorized by section 297 of *The Consolidated Municipal Act, 1922*. Special rate for park purposes.

3. Subsection 5 of section 18 of *The Public Parks Act*, as amended by section 2 of *An Act to amend the Public Parks Act, 1920*, is further amended by striking out all of the words after the word "limit" in the seventh line and substituting therefor the words, "of one-half mill or one mill as the case may be in the dollar provided for in subsection 3," so that the subsection will now read as follows:— Rev. Stat. 1914, c. 203, s. 18 (5), as amended by 1920, c. 70, s. 1, amended.

(5) If at least one-half of the cost of establishing a park is contributed by private subscription or otherwise, the council shall, at the request of the Board of Park Commissioners, issue debentures for the remaining one-half, but only when the annual sum Issuing of debentures for half cost of park when remainder contributed.

required to meet the annual interest and sinking fund can be provided for without exceeding the limit of one-half mill or one mill as the case may be in the dollar, provided for in subsection 3.

Rev. Stat.  
1914, c. 203,  
s. 18 (6) as  
amended by  
1920, c. 70,  
amended.

4. Subsection 6 of section 18 of *The Public Parks Act*, as amended by section 3 of *An Act to amend The Public Parks Act, 1920*, is amended by striking out all the words after the word "Board" in the sixth line and substituting therefor the words "exceed the limit of one-half mill in the dollar in the case of municipalities having a population of less than 25,000, and one mill in the dollar in the case of other municipalities, any provisions in *The Consolidated Municipal Act, 1922*, relating to the municipality to the contrary notwithstanding," so that the subsection will now read as follows:—

By-law,  
when not  
necessary to  
submit to  
electors.

- (6) It shall not be necessary to submit to the electors a by-law authorizing the issue of debentures in case the annual sum required to meet the annual interest and sinking fund does not, with a reasonable allowance for annual expenses of managing, improving and maintaining the parks and other works under the control of the Board, exceed the limit of one-half mill in the dollar in the case of municipalities having a population of less than 25,000 and one mill in the dollar in the case of other municipalities, any provisions in *The Consolidated Municipal Act, 1922*, relating to the municipality to the contrary notwithstanding.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.





No. 118.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Public Parks Act.

1st Reading,	22nd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. TAYLOR.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Administration of Oaths.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Oaths Act, 1923*. Short title.

2. Section 14 of *The Evidence Act* as amended by section 11 of *The Statute Law Amendment Act, 1916*, is repealed and the following substituted therefor:— Rev. Stat.  
c. 76, s. 14,  
repealed.

14.—(1) Where an oath is administered to any person as a witness or deponent, or on appointment to any office or employment, or on any account whatever, such person shall be bound by the oath administered if the same is administered in such form and with such ceremonies as he may declare to be binding upon his conscience. Oath to  
be binding.

(2) Where in the administration of any such oath the Old or New Testament is used the person taking the oath shall hold the Old or New Testament in his hand while the oath is administered and it shall not be essential to the binding quality of the oath that the person to whom the same is administered should kiss the Book or deal with the same in any other manner. Oath, how to  
be ad-  
ministered.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

No. 119.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Administration of  
Oaths.

1st Reading,	23rd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

Mr. Tooms.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.**—(1) Section 424 of *The Consolidated Municipal Act*, 1922, c. 72, s. 424, is amended by adding thereto the following as sub-amended section 3.

(3) By-laws may be passed by the Board of Trustees of a police village for paying the members of the Board for their attendance at meetings of the Board or of its committees at a rate not exceeding \$5 a day.

(2) Subsection 1 shall be read and construed as if it had been in force on the first day of January, 1922, with respect to such payments approved and made during the year 1922.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

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1st Reading,	23rd February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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Mr. WIDDIFIELD.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 2 of section 289 of *The Consolidated Municipal Act, 1922*, is amended by adding after clause *e* the following as clause *ee*:—

1922, c. 72,  
s. 289,  
subs. 2,  
amended.

(*ee*) By the Council of a City with the approval of the Municipal Board for raising such sum as may be required to pay the cost of constructing, rebuilding, enlarging or equipping a fire station, a bridge, a hospital, a public lavatory or a municipal building or such sum as may be required to pay any floating indebtedness.

No. 121.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend  
The Consolidated Municipal Act, 1922.

1st Reading,	27th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HULL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 9 of section 325a of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "for land taken by a by-law passed under this section" in the second and third lines and substituting therefor the words "payable under this section." 1922, c. 72, s. 325a, subs. 9, amended.

**2.** Subsection 10 of section 325a of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following as clauses *c* and *d*: 1922, c. 72, s. 325a, subs. 10, amended.

(c) Damages occasioned by business disturbance;

(d) Damages to land, buildings and improvements injuriously affected by the exercise of any of the powers of a Corporation or of the Council thereof under the authority of this Act.

**3.** Clause *b* of subsection 11 of section 325a of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "for any land taken" in the last line and substituting therefor the words "hereunder in respect of any land." 1922, c. 72, s. 325a, subs. 11, cl. b, amended.

**4.** Clause *a* of subsection 12 of section 325a of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "as well as damages in respect of any land injuriously affected by the work" in the third and fourth lines thereof. 1922, c. 72, s. 325a, subs. 12, cl. a, amended.

**5.** This Act shall be read as though it had been in effect from and after the 18th day of May, 1922. Commencement of Act.

No. 122.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	27th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HILL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to ensure Fair Wages in Government Contracts.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Fair Wage in Government Contracts Act, 1923.* Short title.

2. In this Act "Minister" shall mean the Minister of Labour. Interpretation,  
"Minister."

3. Every contract to which the Province of Ontario is a party and every contract made involving the granting of any Provincial moneys in the form of any subsidy, advance or loan, which may involve the employment of labourers, workmen or mechanics, shall contain a stipulation that every labourer, workman or mechanic in the employ of the contractor or subcontractor, or other persons doing or contracting to do the whole or a part of the work contemplated by the contract shall be paid according to the current rate of wages for competent workmen in the district in which the work is being performed according to the scale of wages paid in each class of trade, and that no such labourer, workman, mechanic or other person shall be permitted or required to work more than the number of hours a day fixed by the custom of labour as hours of labour in the district in which such work is being carried on, except at times of extraordinary emergency caused by fire, flood or danger to life or property. Contracts  
what to  
contain.

4. Every such contract hereafter made shall contain a provision that unless the person or corporation making or performing it complies with the provisions of this Act, the contract shall be void and the person or corporation shall not be entitled to receive any sum nor shall any officer, agent or employee of the Province of Ontario pay or authorize payment from the funds under his charge or control to the When  
contract to  
be void.

person or corporation, for work done upon or in connection with the contract, which violates the provisions of this Act.

Application  
of Act.

**5.** This Act shall apply to work undertaken by the Province of Ontario by day labour.

Posting of  
schedule of  
wages.

**6.** Every contractor shall post in a conspicuous place on the works being erected under the contract the schedule of wages inserted in his contract for the protection of workmen and shall keep a record of all payments made to his employees, which record shall be at all times subject to inspection by the Minister.

Minister to  
settle  
disputes.

**7.—(1)** Any dispute as to wages or hours of labour arising out of the provisions of this Act shall be determined by the Minister, whose decision shall be final.

Pending  
settlement.

**(2)** Pending the settlement of a dispute by the Minister the payment of any moneys due to a contractor or subcontractor under a Government contract may be withheld until the matter has been determined by the Minister.

Default by  
contractor.

**8.** Where default is made by a contractor or subcontractor in payment of any money owing to an employee in respect of wages, the employee may file in the office of the Minister a claim therefor, and the Minister may, where such claim is proved, order payment of the amount so owing to the employee out of moneys at the time payable by the Province to the contractor or subcontractor, and the amount so paid shall be deemed payment to the contractor or subcontractor.

Contractor  
to file  
statutory  
declaration.

**9.** A contractor or subcontractor shall not be entitled to payment in full under the terms of any Government contract in respect of any work or labour performed in connection with such contract or subcontract, unless and until such contractor or subcontractor shall have filed with the Minister a statutory declaration that he has complied with the requirements of this Act.

Power of  
Minister to  
appoint  
inspectors.

**10.** The Minister may appoint inspectors and other officers to ensure the proper observance of the provisions of this Act.

Penalty.

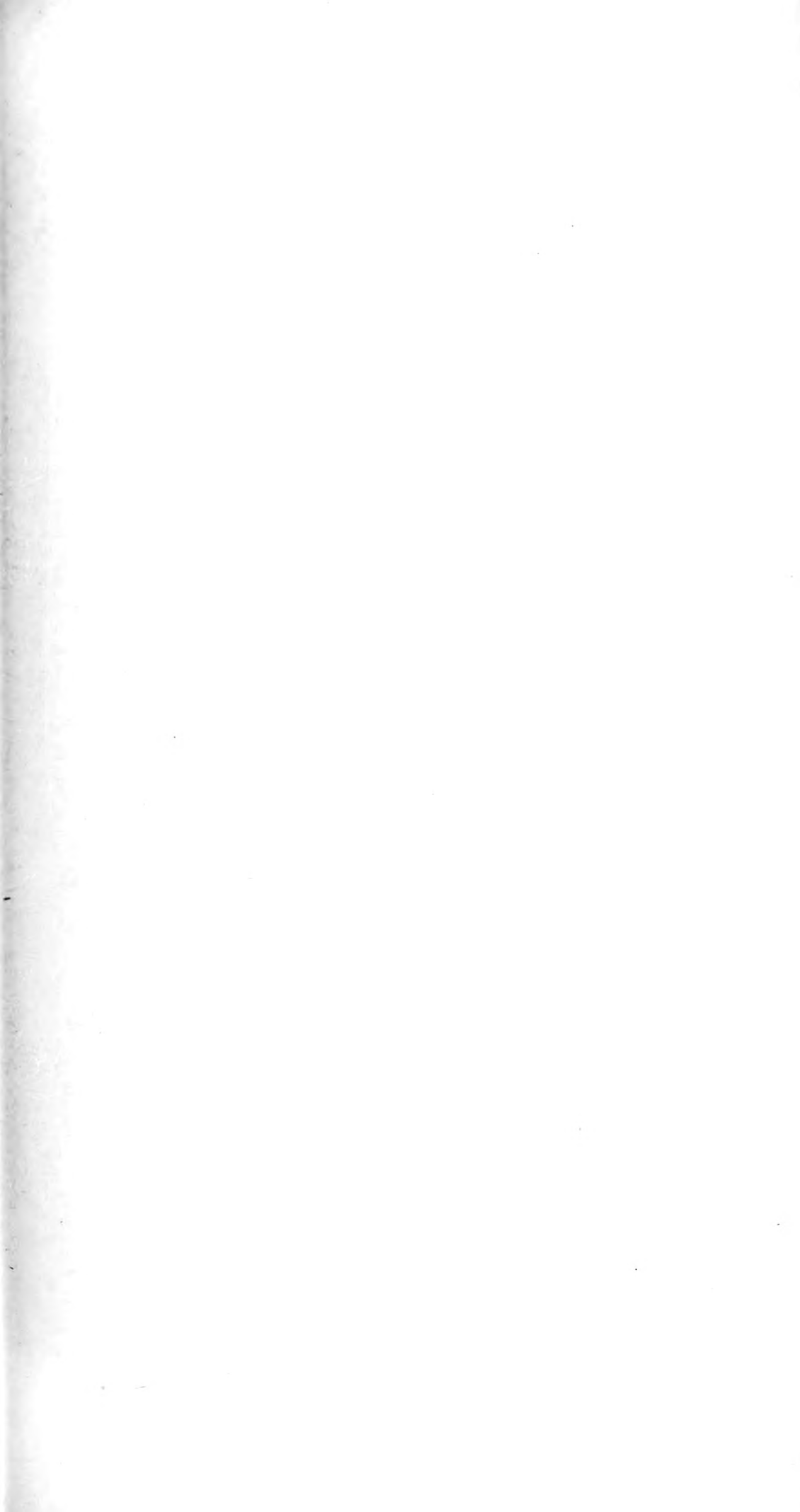
**11.** Any person contravening the provisions of this Act shall be guilty of an offence, and shall incur a penalty not exceeding \$100 for each such offence.

Application  
Rev. Stat.  
c. 90.

**12.** *The Ontario Summary Convictions Act* shall apply to prosecutions under this Act.

Commence-  
ment of Act.

**13.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.



No. 123.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to ensure Fair Wages in Govern-  
ment Contracts.

1st Reading,	28th February,	1923.
2nd Reading,		1923.
3rd Reading,		1923.

MR. McNAMARA.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# **BILL**

## An Act to amend The Deserted Wives' and Children's Maintenance Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Deserted Wives' and Children's Maintenance Amendment Act, 1923.* Short title.

**2.** Subsection 2 of section 2 of *The Deserted Wives' and Children's Maintenance Act, 1922*, is amended by adding at the end thereof the words "or because he is suffering from venereal disease or has been guilty of adultery" so that the subsection will now read as follows:—

(2) A married woman shall be deemed to have been deserted within the meaning of this section when she is living apart from her husband because of his acts of cruelty, or of his refusal or neglect, without sufficient cause, to supply her with food and other necessities when able so to do, or because he is suffering from venereal disease or has been guilty of adultery. Desertion of wife.

**3.** Subsection 1 of section 5 of *The Deserted Wives' and Children's Maintenance Act, 1922*, is amended by striking out the words "returnable on the tenth day after the service thereof" in the sixth and seventh lines. 1922, c. 57, s. 5, subs. 1, amended.

**4.** Section 8 of *The Deserted Wives' and Children's Maintenance Act, 1922*, is amended by inserting after the word "husband" in the fifth line the words "or father" and by inserting after the word "child" in the sixth line the words "or at the instance of the wife or child after notice to the husband or father," so that the section will now read as follows:— 1922, c. 57, s. 8, amended.

Application  
for service of  
summons.

8. A summons under this Act shall be applied for, granted and served in the same manner as a summons in a case of assault, or in such other manner as the magistrate directs, and a magistrate may at any time rehear the application at the instance of the husband or father after notice to the wife and child or at the instance of the wife or child after notice to the husband or father and may confirm, rescind or vary any order made thereon as he may deem just.

1922, c 57,  
amended

5. *The Deserted Wives' and Children's Maintenance Act, 1922*, is amended by adding thereto the following sections:—

A. thority of  
Magistrate  
to issue  
warrant.

- 8a. A magistrate to whom application is made under the authority of this Act may, in his discretion, issue a warrant in lieu of a summons.

Expenses.

- 8b. Where it is necessary to incur expense in securing a warrant or summons or in carrying out any of the provisions of this Act, and the complainant is unable to pay such expenses, they may be paid out of such sum as may be appropriated by the Legislature for that purpose.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.





No. 124.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend 'The Deserted Wives'  
and Children's Maintenance Act, 1922.

1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MCNAMARA.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Deserted Wives' and Children's Maintenance Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Deserted Wives' and Children's Maintenance Amendment Act, 1923*. Short title.

2. Section 8 of *The Deserted Wives' and Children's Maintenance Act, 1922*, is amended by inserting after the word "husband" in the fifth line the words "or father" and by inserting after the word "child" in the sixth line the words "or at the instance of the wife or child after notice to the husband or father," so that the section will now read as follows:—

8. A summons under this Act shall be applied for, granted and served in the same manner as a summons in a case of assault, or in such other manner as the magistrate directs, and a magistrate may at any time rehear the application at the instance of the husband or father after notice to the wife and child or at the instance of the wife or child after notice to the husband or father and may confirm, rescind or vary any order made thereon as he may deem just. Application for service of summons.

3. *The Deserted Wives' and Children's Maintenance Act, 1922*, is amended by adding thereto the following section: — 1922, c. 57, amended.

8a. Where it is necessary to incur expense in serving a warrant or summons or in carrying out any of the provisions of this Act, and the complainant is unable to pay such expenses, they may be paid out of such sum as may be appropriated by the Legislature for that purpose. Expenses.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 124.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Deserted Wives'  
and Children's Maintenance Act, 1922.

1st Reading,	28th February, 1923.
2nd Reading,	26th March, 1923.
3rd Reading,	1923.

*(Reprinted as amended by the Legal  
Committee.)*

MR. MCNAMARA.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

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No. 125.

1923.

# BILL

An Act to amend The Pharmacy Act.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited *The Pharmacy Amendment Act*, Short title.  
1923.

**2.** Clause *a* of section 28 of *The Pharmacy Act* is amended Rev. Stat.  
by inserting after the word "quinine" in the eleventh line c. 164, s. 28,  
thereof the words "hydrogen<sub>2</sub>peroxide." cl. a,  
amended.

**3.** This Act shall come into force and take effect on the Commence-  
day upon which it receives the Royal Assent. ment of Act.

No. 125.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Pharmacy Act.

1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. FREEBORN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 77 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72, s. 77,</sup> is amended by adding thereto the following as subsection 6:—amended.

- (6) The council of a township in which the urban <sup>Place of</sup> municipality is situate, may fix the place of polling <sup>polling.</sup> for any adjoining subdivision within the limits of such urban municipality.

No. 126.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. WIDDIFIELD.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Assessment Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 17 of section 5 of *The Assessment Act* is amended by striking out the words "all fixed machinery used for manufacturing or farming purposes, including the foundations on which the same rests; but not fixed machinery used, intended or required for the production or supply of motive power including boilers and engines, gas, electric and other motors" at the commencement thereof and inserting in lieu thereof, the words "all fixed machinery including boilers and engines, gas, electric and other motors when used for manufacturing or farming purposes including the foundations on which the same rests; but not such fixed machinery used, intended or required for the production of motive power which is supplied to any person other than the owner of such machinery" so that the paragraph will now read as follows:—

17. All fixed machinery including boilers and engines, gas, electric and other motors when used for manufacturing or farming purposes including the foundations on which the same rests; but not such fixed machinery used, intended or required for the production of motive power which is supplied to any person other than the owner of such machinery, nor machinery owned, operated or used by a railway company or by a person having the right, authority or permission to construct, maintain or operate within Ontario in, under, above, on or through any highway, lane or other public communication, public place or public water, any structure or other thing, for the purposes of a bridge, tramway or street railway, or for the purposes of conducting steam, heat, water, gas, oil, electricity, or any property, substance or product capable of transportation, transmission, or conveyance for the supply of water, light, heat, power or other service.

No. 127.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HONATH.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 230 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72,</sup>  
is amended by adding at the commencement of subsection <sup>s. 230, subs. 5,</sup>  
5, the words "subject to the provisions of subsection 5a"  
and by adding thereto the following as subsection 5a:—

(5a). The council of any township may by by-law appoint and authorize the treasurer to levy, and collect all the taxes, rates and assessments which may be imposed from year to year by the council, and such treasurer shall thereupon have all the powers conferred by law upon a collector of taxes.

No. 128.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. LETHBRIDGE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 408 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72,</sup><sub>s. 408,</sub> is amended by adding thereto the following as paragraph 9:—amended.

9. For providing that no sleigh or other vehicle upon runners shall be used by any person residing with-<sup>Vehicles upon</sup>runners, in the County on any of the highways within the County unless the runners thereof are apart from each other at the bottom at least 4 feet, 9 inches.

- (a) The by-law may exempt from its operation all sleighs or vehicles on runners owned at the time of its passing, by persons resident within the County, and shall not come into force until the expiration of one year from given date upon which it was passed.

No. 129.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HENRY.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

# **BILL**

## **An Act to amend The Consolidated Municipal Act, 1922.**

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Paragraph 3 of section 409 of *The Consolidated Municipal Act, 1922*, is repealed. 1922, c. 72, s. 409, par. 3 repealed.

**2.** Section 398 of *The Consolidated Municipal Act, 1922*, is 1922, c. 72, s. 398 amended by inserting after paragraph 37 the following as amended. paragraph 37a.

### *Sidelights on Vehicles.*

**37a.** For requiring all vehicles using the public highways after dusk and before dawn to carry lighted sidelights plainly visible from in front of and from behind such vehicles. Vehicles to carry sidelights at night.

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No. 130.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

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1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

---

MR. HENRY.

---

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 85 of *The Assessment Act* is repealed and the following substituted therefor:—

Rev. Stat.  
c. 195, s. 85,  
repealed.

- 85.—(1) The council of every county shall appoint two or more valuers whose duty it shall be every fifth year at furthest, to ascertain the value of the real property within the county in the manner directed by the county council, but the valuers shall not exceed the power possessed by assessors.
- (2) The valuation so made shall be made by the county council the basis of equalization of the real property for a period not exceeding five years.
- (3) The valuers may ascertain the value of the real property by inspecting and valuing from five per cent. to eight per cent. of the different parcels of land in different parts of each municipality in the county, and upon such inspection and valuation the said valuers shall compare their valuation with the valuations in the last revised assessment roll made by the assessors of each of the said municipalities within the county; and if upon such comparison it is found that the valuation of the county valuers nearly corresponds in the aggregate with the valuation upon the assessment roll of a municipality, the valuers, and afterwards the county council, shall accept the assessment roll as correct for the purposes of county valuation.
- (4) Where it is found that the valuations of particular lots made by the county valuers differ materially from the valuation of the same lots upon the assess-

County  
council may  
appoint  
valuers,—  
their  
duties.

Basis of  
equalization.

Method of  
valuing  
by county  
valuers.

Where  
valuation  
differs from  
total  
assessment.

ment roll of a municipality, the county valuator shall add or deduct a corresponding percentage to or from the local assessment and a similar method shall be followed with respect to the valuation of real property in towns and villages.

Attestation  
of valuator's  
report.

- (5) The valuator shall attest their report on the valuation of the real property within the county by oath or affirmation with regard to the property actually inspected and valued by them in the same manner as assessors are required to verify the assessment roll.

Commence-  
ment of Act.

- 2.** This Act shall come into force on the first day of January, 1924.



No. 131.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 45 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72, s. 45,</sup> is amended by striking out the words "and deputy reeves" <sup>amended.</sup> in the second line, so that the section will now read as follows:

45. The council of a county shall be composed of the <sup>County</sup> reeves of the towns, not being separated towns, <sup>councils,—</sup> and of the villages and townships in the county. <sup>how composed.</sup>

2.—(1) Deputy reeves shall not hereafter be elected in <sup>Deputy</sup> any town, village or township. <sup>reeves.</sup>

(2) Subsection 1 of section 48 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72, s. 48, subs. 1,</sup> is amended by striking out the words "as <sup>amended.</sup> many deputy reeves as the town is entitled to" in the third and fourth lines, so that the subsection will now read as follows:—

(1) The council of a town not in unorganized territory <sup>Councils of towns in</sup> having a population of more than 5,000 shall be <sup>counties.</sup> composed of a mayor, a reeve and three councillors for each ward where there are less than five wards, or two councillors for each ward where there are five or more wards.

3. Subsection 1 of section 50 of *The Consolidated Municipal Act, 1922*, <sup>1922, c. 72, subs. 1,</sup> is amended by striking out all the words therein <sup>amended.</sup> after the word "reeve" in the second line, and inserting in lieu thereof the words "and four councillors, and the reeve and councillors shall be elected by general vote," so that the subsection will now read as follows:—

Councils of  
villages and  
townships.

- (1) The council of a village and the council of a township shall consist of a reeve and four councillors and the reeve and councillors shall be elected by general vote.

1922, c. 72,  
s. 51,  
repealed.

4. Section 51 of *The Consolidated Municipal Act, 1922*, providing for the number of deputy reeves to which a town, not being a separated town, and a village and town respectively shall be entitled, is repealed.

1922, c. 72,  
Form 15,  
amended.

5. Form 15 of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "or first deputy reeve or second deputy reeve, or third deputy reeve as the case may be" wherever the said words occur in the said Form.

1922, c. 72,  
s. 195,  
subs. 4,  
amended.

6. Subsection 4 of section 195 of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "or in his absence the deputy reeve, or if there are more deputy reeves than one, the first deputy reeve" in the first, second and third lines, and by adding at the end thereof the words "and in case of the absence of such reeve, the reeve of the municipality which for the preceding year had the next largest equalized assessment shall have such second or casting vote" so that the subsection will now read as follows:—

Case of  
equality of  
votes.

- (4) In case of an equality of votes the reeve of the municipality which for the preceding year had the largest equalized assessment shall have a second or casting vote, and in case of the absence of such reeve, the reeve of the municipality which for the preceding year had the next largest equalized assessment shall have such second or casting vote.

1922, c. 72,  
amended.

7. *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following section:—

Vote of  
reeve in  
election of  
warden.

- 195a.—(1) Upon the election of a warden or upon any other question arising at a meeting of a county council, the vote of a reeve of every municipality which has not more than 1,000 municipal electors shall count as one vote, the vote of the reeve of every municipality having more than 1,000 and not more than 2,000 municipal electors shall count as two votes, the vote of the reeve of every municipality having more than 2,000 and not more than 3,000 municipal electors shall count as three votes, and the vote of the reeve of every municipality having more than 3,000 municipal electors shall count as four votes.

- (2) Subsection 1 shall not apply to a vote in any com-<sup>Vote of</sup>mittee of a county council except a committee of<sup>committee.</sup> the whole council, nor to a vote upon any question which does not involve the expenditure of money.

8. This Act shall not apply to a county council for the<sup>Commence-</sup> year 1923.<sup>ment of Act.</sup>

No. 132.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	28th February, 1923.
2dn Reading,	1923.
3rd Reading,	1923.

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Crown Timber Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Crown Timber Amendment Act, 1923.* Short title.

**2.** Subsection 1 of section 3 of *The Crown Timber Act* is amended by adding thereto the following words:— Rev. Stat. c. 29, s. 3, subs. 1 amended.

“Provided that no such license shall be granted to cut timber from an area exceeding 81 square miles, until the same shall have been confirmed by the Legislative Assembly, and this proviso shall be retro-active and require the ratification of all such licenses granted on or after the 1st of January, 1921.”

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-ment of Act.

No. 133.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Crown Timber Act.

1st Reading,	28th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HALL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Infants Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Infants Amendment Act*, Short title. 1923.

**2.**—(1) Subsection 1 of section 2 of *The Infants Act* is amended by inserting after the word “application” in the second line, the words “of the father or,” so that the subsection will now read as follows:—

(1) The Supreme Court or the Surrogate Court, upon the application of the father or of the mother of an infant, who may apply without a next friend, may make such order as the Court sees fit regarding the custody of the infant and the right of access thereto of either parent, having regard to the welfare of the infant, and to the conduct of the parents, and to the wishes as well of the mother as of the father, and may alter, vary or discharge the order on the application of either parent, or, after the death of either parent, of any guardian appointed under this Act, and in every case make such order respecting the costs of the mother and the liability of the father for the same, or otherwise, as the court may deem just.

(2) Subsection 3 of section 2 of *The Infants Act* is repealed and the following subsection is substituted therefor:

(3) No order directing that a parent shall have the custody of an infant shall be made in favour of a parent against whom adultery has been established by judgment in an action for criminal conversation or for alimony.

Rev. Stat.  
c. 153, s. 3,  
repealed.

**3.** Section 3 of *The Infants Act* is repealed and the following section is substituted therefor:

3.—(1) Unless otherwise ordered by the Court, and subject to the provisions of this Act, the father and mother of an infant shall be joint guardians and shall be equally entitled to the custody, control and education of such infant.

(2) Where the parents are not living together or where the parents are divorced or judicially separated, they may enter into a written agreement as to which parent shall have the custody, control and education of such infant, and in the event of the parents failing to agree either parent may apply to the Court for its decision.

Rev. Stat.  
c. 153, s. 26,  
subs. 1,  
amended.

**4.** Subsection 1 of section 26 of *The Infants Act* is amended by inserting after the word "father" in the first line the words "or mother," and by inserting after the word "father" in the second line the words "and the mother or of the surviving parent," so that the subsection will now read as follows:

Appoint-  
ment of  
guardians  
by Surrogate  
Court.

26.—(1) The Surrogate Court may appoint the father or mother of the infant or may, with the consent of the father and the mother or of the surviving parent appoint some other suitable person or persons to be the guardian or guardians of the estate of the infant, but if the infant is of the age of fourteen years no such appointment shall be made without his consent.

When  
infant's  
consent  
necessary.

Rev. Stat.  
c. 153, s. 26,  
subs. 2,  
amended.

**5.** Subsection 2 of section 26 of *The Infants Act* is amended by striking out the word "father" in the first line and substituting therefor the word "parent."

Rev. Stat.  
c. 153, s. 28,  
repealed.

**6.** Section 28 of *The Infants Act* is repealed and the following substituted therefor:

Father or  
mother may  
appoint  
guardian.

28.—(1) The father or mother of an infant may appoint by deed or will, any person or persons to be guardian or guardians of such infant after the death of such father or mother.

Surviving  
parent sole  
or joint  
guardian  
of infant's  
estate.

(2) On the death of either parent of an infant, the other parent, if surviving, shall, unless otherwise ordered by the Supreme Court or the Surrogate Court be the guardian of the infant, either alone, when no guardian has been appointed by the deceased parent, or jointly with any guardian appointed by such deceased parent.

- (3) The surviving parent may appoint a guardian of an infant to act after the death of such parent, and such guardian shall act either alone when no guardian has been appointed by the first deceased parent, or jointly with any guardian appointed by the parent first deceased. Surviving parent may appoint guardian.
- (4) Where no guardian has been appointed by the first deceased parent, or if the guardian appointed by such parent is dead or refuses to act, the Court may appoint a guardian or guardians to act jointly with the surviving parent, and in the case of the decease of both parents the Court may appoint a guardian or guardians to act for one or both of the deceased parents. When Court may appoint guardian.
- (5) In the event of guardians being unable to agree upon a question affecting the welfare of an infant, any guardian or either parent may apply to the Court for its direction, and the Court may make such order as may be deemed proper. When guardians disagree
- (6) Subject to the provisions of this Act, and to any order which may be made by the Court, where no guardian has been appointed to act with the surviving parent, the surviving parent shall have the absolute disposition of the custody, control and education of an infant. When surviving parent to have disposition of custody of the child.
- (7) Any disposition made under subsection 5 shall be good and effectual against every person claiming the custody, control or education of an infant. Disposition to be effectual.
- (8) The person to whom the custody of such infant is so committed may maintain an action against any person who wrongfully takes away or detains him for the recovery of such infant and for damages for such taking away or detention for the use and benefit of the infant. Action for detention of infant.
- 7.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 134.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Infants Act.

1st Reading,	2nd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MCNAMARA.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Infants Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Infants Amendment Act*, Short title.  
1923.

**2.**—(1) Subsection 1 of section 2 of *The Infants Act* is amended by inserting after the word "application" in the second line, the words "of the father or," so that the subsection will now read as follows:—

Rev. Stat.  
c. 153, s. 2,  
subs. 1,  
amended.

(1) The Supreme Court or the Surrogate Court, upon the application of the father or of the mother of an infant, who may apply without a next friend, may make such order as the Court sees fit regarding the custody of the infant and the right of access thereto of either parent, having regard to the welfare of the infant, and to the conduct of the parents, and to the wishes as well of the mother as of the father, and may alter, vary or discharge the order on the application of either parent, or, after the death of either parent, of any guardian appointed under this Act, and in every case make such order respecting the costs of the mother and the liability of the father for the same, or otherwise, as the court may deem just.

Order as to  
custody of  
and right of  
access to  
infant, at  
the instance  
of mother.

(2) Subsection 3 of section 2 of *The Infants Act* is repealed.

Rev. Stat.  
c. 153, s. 2,  
subs. 3,  
repealed.

**3.** Section 3 of *The Infants Act* is repealed and the following section is substituted therefor:

Rev. Stat.  
c. 153, s. 3,  
repealed.

**3.**—(1) Unless otherwise ordered by the Court, and subject to the provisions of this Act, the father and mother of an infant shall be joint guardians and

shall be equally entitled to the custody, control and education of such infant.

- (2) Where the parents are not living together or where the parents are divorced or judicially separated, they may enter into a written agreement as to which parent shall have the custody, control and education of such infant, and in the event of the parents failing to agree either parent may apply to the Court for its decision.

Rev. Stat.  
c. 153, s. 26,  
subs. 1,  
amended.

4. Subsection 1 of section 26 of *The Infants Act* is amended by inserting after the word "father" in the first line the words "or mother," and by inserting after the word "father" in the second line the words "and the mother or of the surviving parent," so that the subsection will now read as follows:

Appoint-  
ment of  
guardians  
by Surrogate  
Court.

- 26.—(1) The Surrogate Court may appoint the father or mother of the infant or may, with the consent of the father and the mother or of the surviving parent appoint some other suitable person or persons to be the guardian or guardians of the estate of the infant, but if the infant is of the age of fourteen years no such appointment shall be made without his consent.

When  
infant's  
consent  
necessary.

Rev. Stat.  
c. 153, s. 26,  
subs. 2,  
amended.

5. Subsection 2 of section 26 of *The Infants Act* is amended by striking out the word "father" in the first line and substituting therefor the word "parent."

Rev. Stat.  
c. 153, s. 28,  
repealed.

6. Section 28 of *The Infants Act* is repealed.

Commence-  
ment of  
Act.

7. This Act shall come into force on the *1st day of September, 1923.*





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No. 134.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Infants Act.

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1st Reading,	2nd March, 1923.
2nd Reading,	26th March, 1923.
3rd Reading,	1923.

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*(Reprinted as amended by the Legal  
Committee.)*

MR. MCNAMARA.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Municipal Arbitrations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Arbitrations Act* is amended by adding the following as section 2a:—

Rev. Stat.  
c. 199  
amended.

2a.—(1) The death of the Official Arbitrator or his ceasing to hold office from any cause pending a reference before him, before his award is made, shall not abate the proceedings, but such reference shall be continued and all proceedings therein already taken shall be adopted, and an award made therein by his successor in office.

Death of  
Official  
Arbitrator.

(2) The Official Arbitrator may, with the approval of the Lieutenant-Governor in Council, appoint a deputy to act in his stead and place, who, in acting, shall have all the powers of the Official Arbitrator.

Deputy  
Official  
Arbitrator.

(3) The death of the claimant pending a reference before the Official Arbitrator shall not abate or determine the proceedings already taken before him, but such proceedings already taken may be continued by or against the legal representatives of the deceased, or by or against the person or persons upon whom the estate or interests of the deceased devolves.

Death of  
claimant.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act to amend The Municipal  
Arbitrations Act.

1st Reading,	2nd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. PRICE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.


# BILL

## An Act to amend The Municipal Arbitrations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Arbitrations Act* is amended by adding the following as section 2a:— Rev. Stat. c. 199, amended.

2a.—(1) The death of the Official Arbitrator or his ceasing to hold office from any cause pending a reference before him, before his award is made, shall not abate the proceedings, but such reference shall be continued and all proceedings therein already taken shall be adopted, and an award made therein by his successor in office. Death of Official Arbitrator.

 (2) The Lieutenant-Governor in Council may appoint a Deputy Official Arbitrator and in case of the illness or absence or inability to act of the Official Arbitrator and during a vacancy in the office, the Deputy Official Arbitrator shall have all the powers and perform all the duties of the Official Arbitrator. Deputy Official Arbitrator.

(3) The death of the claimant pending a reference before the Official Arbitrator shall not abate or determine the proceedings already taken before him, but such proceedings already taken may be continued by or against the legal representatives of the deceased, or by or against the person or persons upon whom the estate or interests of the deceased devolves. Death of claimant.

No. 135.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL

An Act to amend The Municipal  
Arbitrations Act.

1st Reading,	2nd March, 1923.
2nd Reading,	12th March, 1923.
3rd Reading,	1923.

*(Reprinted as amended by the Legal  
Committee.)*

MR. PRICE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting Warehousemen's Liens.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Warehousemen's Lien Act*, Short title. 1923.

**2.** In this Act—

Interpreta-  
tion.

- (a) "Warehouseman" shall mean a person law-<sup>"Warehouse-</sup>fully engaged in the business of storing goods<sup>man."</sup> as bailee for hire.
- (b) "Goods" shall include personal property of<sup>"Goods."</sup> every description that may be deposited with a warehouseman as bailee.
- (c) "Charges" shall have the meaning assigned to<sup>"Charges."</sup> it in section 4.

**3.** A warehouse receipt issued by a warehouseman shall, Warehouse receipt, when delivered to the owner or bailor of the goods or mailed to him at his address last known to the warehouseman, constitute the contract between the owner or bailor and the warehouseman.

**4.—(1)** Every warehouseman shall have a lien on all goods<sup>Lien,</sup> whenever deposited with him for storage, whether deposited by the owner of the goods or by his authority or by any person entrusted with the possession of the goods by the owner.

**(2)** The Lien shall be for the amount of the warehouseman's<sup>To be for</sup> charges, that is to say:—<sup>amount of</sup>  
<sup>charges.</sup>

- (a) All lawful charges for storage and preservation of the goods;

- (b) All lawful claims for money advanced, interest, transportation, labour, weighing, cooping and other expenses in relation to the goods; and
- (c) All reasonable charges for any notice required to be given under the provisions of this Act and for notice and advertisement of sale, for preparing for sale and the sale of the goods where default is made in satisfying the warehouseman's lien.

Where receipt enumerates charges.

**5.**—(1) Where the warehouse receipt expressly enumerates the charges for which a lien is claimed, the warehouseman shall have a lien for the charges enumerated so far as they are within the terms of section 4, although the amount of the charges so enumerated is not stated in the receipt.

Where no express enumeration in receipt.

(2) Where the receipt for the goods issued by the warehouseman does not contain an express enumeration of the charges for which a lien is claimed the warehouseman shall have no lien on the goods except for charges subsequent to the date of the receipt.

Sale by public auction.

**6.**—(1) In addition to all other remedies provided by law for the enforcement of liens or for the recovering of warehouseman's charges, a warehouseman may sell by public auction in the manner provided in this section any goods upon which he has a lien for charges which have become due.

Notice of sale.

(2) The warehouseman shall give notice in writing of the proposed sale to the last known address of—

- (a) The person liable as debtor for the charges for which the lien exists; and
- (b) The owner of the goods.

What to contain.

(3) The notice shall contain:—

- (a) A brief description of the goods;
- (b) A statement showing the location of the warehouse where the goods are stored, the date of their deposit with the warehouseman, and the name of the person by whom they were deposited;
- (c) A statement of the warehouseman's charges showing the sum due at the time of the notice and the date when it became due;



(d) A demand that the amount of the charges as stated in the notice and such further charges as may accrue shall be paid on or before a day mentioned, not less than twenty-one days from the delivery of the notice if it is personally delivered or from the time when the notice should reach its destination according to the due course of mail if it is sent by mail; and

(e) A statement that unless the charges are paid within the time mentioned the goods will be advertised for sale and sold by public auction.

(4) Where the charges are not paid on or before the day mentioned in the notice, an advertisement for sale stating the name of the person liable as debtor for the charges for which the lien exists shall be published at least once a week for two consecutive weeks in a newspaper published in the Province and circulating in the locality where the sale is to be held, and the sale shall be held not less than fourteen days from the date of the first publication of the advertisement. Where default in payment after notice.

7. From the proceeds of the sale the warehouseman shall satisfy his lien including the expenses of notice, advertisement, preparing for and sale of goods, and shall pay over the balance, if any, to the person entitled thereto, and such warehouseman shall when paying over any such balance deliver to the person to whom he pays the same a statement of account showing how such balance has been computed. Proceeds of sale.

8. At any time before the goods are sold any person claiming an interest or right of possession in the goods may pay the warehouseman the amount necessary to satisfy his lien, including expenses incurred in serving notices and advertising and preparing for the sale up to the time of payment, and the warehouseman shall deliver the goods to the person making the payment if he is a person entitled to the possession of the goods on payment of the warehouseman's charges thereon, otherwise the warehouseman shall retain possession of the goods according to the terms of the contract of deposit. Payment of charges by person claiming interest or right of possession.

9. Where by this Act any notice in writing is required to be given the notice shall be given by delivering it to the person to whom it is to be given or by mailing it in the post office postage paid and registered, addressed to him at his address last known to the warehouseman. Notice.

10. This Act shall apply to goods in the possession of a warehouseman deposited with him for storage before the com- a Application of Act.

mencement of this Act, as well as to the goods deposited after its commencement, and the application of this Act to goods deposited before its commencement shall be governed by the following provision:—

- (a) The day mentioned in any notice pursuant to the provisions of clause *d* of subsection 3 of section 6 shall be not less than six months from the delivery of the notice or the time when the notice should reach its destination, instead of the period of not less than twenty-one days mentioned in clause *d*.

Commence-  
ment of  
Act.

**11.** This Act shall come into force on the first day of July, 1923.







No. 136.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Warehousemen's Liens.

1st Reading,	2nd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. PRICE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend ~~The~~ Factory, Shop and Office Building Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Factory, Shop and Office Building Amendment Act, 1923.* Short title.

**2.** Section 84 of *The Factory, Shop and Office Building Act*, Rev. Stat. c. 229, s. 84;  
as amended by section 6 of *The Factory, Shop and Office* 1921, c. 76,  
*Building Amendment Act, 1921*, is further amended by adding s. 6,  
thereto the following subsection:— amended.

(4b) Or the Council of a city may, after first obtaining Compulsory closing of  
the assent of the electors, pass a by-law requiring shops for  
all shops within the municipality to close on one weekly half-  
day during the week, without specifying any parti- holiday  
cular day, during the months of July and August, during July and August.  
between 12.30 o'clock, noon, and five of the clock  
of the forenoon of the next following day.

**3.** This Act shall come into force on the day upon which Commence-  
it receives the Royal Assent. ment of Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Factory, Shop and  
Office Building Act.

1st Reading,	6th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HILL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



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No. 138.

1923.

# BILL

An Act to amend The Consolidated Municipal  
Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

1. Subsection 1 of section 427 of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "of distinction" in the third line and inserting in lieu thereof the words "or conventions." 1922, c. 72, s. 427 (1) amended.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated Municipal Act, 1922.

1st Reading,	6th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HILL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Planning and Development Act.

**1.** Subsection 3 of section 6 of *The Planning and Development Act* is amended by striking out the word "and" in the fifth line and inserting in lieu thereof the word "or" so that the subsection as amended will read as follows:—

- (3) No plan of survey and subdivision of land abutting on a highway of a less width than 66 feet, or upon which there is laid out a street of a less width than 66 feet, shall be registered unless it has been approved by the proper municipal council or councils or by the Board.

**2.** This Act shall come into force on the day upon which it receives the Royal Assent.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Planning and  
Development Act.

1st Reading,	6th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. PRICE.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Ontario Voters' Lists Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Voters' Lists Amendment Act, 1923.* Short title.

**2.** Section 22 of *The Ontario Voters' Lists Act, 1922*, is 1922, c. 4, s. 22, amended by adding thereto the following subsection:— amended.

(4) Instead of proceeding as provided in subsections 1, 2 and 3, the Judge may direct the clerk to prepare a sufficient number of copies of the list as revised by the judge to furnish one copy for each of the persons mentioned in clauses *b, c, d, e* and *f* of subsection 1 of section 21, and the clerk shall within one week after the revision has been made transmit or deliver such copies to the judge, and the judge shall thereupon sign and certify (Form 15*a*) such copies and deal therewith in the manner provided by subsection 2 of section 21. Delivery and certification of copies of revised list.

**3.** Schedule "A" of *The Ontario Voters' Lists Act, 1922*, is amended by adding thereto the following form:— 1922, c. 4, Schedule "A," amended

FORM 15*a*.

(Section 22 (4)).

### CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE.

I, \_\_\_\_\_, Judge of the County Court of the County of \_\_\_\_\_, pursuant to subsection 4 of section 22 of *The Ontario Voters' Lists Act, 1922*, do hereby certify that the above (*as the case may be*) is a correct copy of the List of Voters, for the year 19\_\_\_\_,

received by me from the Clerk of the Municipality of  
the            of            , according to my revision  
and correction thereof, pursuant to the provisions of  
the said Act.

Dated at            . this            day of            ,  
19   .

*Judge.*

Commence-    4. This Act shall come into force on the day upon which  
ment of Act. it receives the Royal Assent.



No. 140.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Ontario Voters'  
Lists Act.

1st Reading,	8th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. NICKLE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Public Health Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Health Amendment Act, 1923*. Short title

**2.** Section 8 of *The Public Health Act* is amended by adding thereto the following clause:— Rev. Stat. c. 218, s. 8, amended.

- (g) The manufacture of non-intoxicating beverages and distilled and mineral water, and the manufacture of syrups, wines and brewed beers.

**3.** Section 100 of *The Public Health Act* is amended by adding thereto the following subsections:— Rev. Stat. c. 218, s. 100, amended.

- (6) A person, firm or corporation shall not manufacture or bottle for sale as food for man, any beverage such as carbonated water, natural and artificial mineral water, spring and distilled water, unfermented wine or cordials, concentrated syrup, extracts, essence, fruit juice, or any dry substance in concentrated form for the manufacture of any beverage, brewed ginger beer, or other non-intoxicating drink, without first obtaining a permit in writing so to do from the Medical Officer of Health and the local board of the municipality in which such manufacturing or bottling is to be conducted. Permit required for manufacturing or bottling of carbonated water, etc.
- (7) When the Medical Officer and Local Board of Health desire to cancel a permit they must give notice in writing of such cancellation to the person or persons or the agent of such person or persons to whom the permit was issued and such cancellation shall not become effective until thirty days after Cancellation of permit.

receipt of such notice by the said person, persons or their agent.

Revocation  
of permit,  
on what  
grounds

- (8) Such permit may be refused and if granted may be cancelled or revoked for failure to comply with the Regulations pertaining to the building, equipment and methods of manufacture or bottling of such beverage or if such beverage upon analysis is found to be contaminated or contain any injurious ingredients, or for other cause is found to be unfit for food.

Commence-  
ment of Act.

- 4.** This Act shall come into force on the first day of September, 1923.



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No. 141.

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4th Session, 15th Legislature  
13 George V, 1923

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BILL.

An Act to amend The Public Health Act.

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1st Reading,	8th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR. THOMPSON.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Public Health Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** This Act may be cited as *The Public Health Amendment Act, 1923*. Short title

**2.** Section 8 of *The Public Health Act* is amended by adding thereto the following clause:— Rev. Stat. c. 218, s. 8, amended.

(q) The manufacture of non-intoxicating beverages and distilled and mineral water, and the manufacture of syrups, wines and brewed beers. Manufacture of beverages.

**3.** Section 100 of *The Public Health Act* is amended by adding thereto the following subsections:— Rev. Stat. c. 218, s. 100, amended.

(6) A person, firm or corporation shall not manufacture or bottle for sale as food for man, any beverage such as carbonated water, natural and artificial mineral water, spring and distilled water, unfermented wine or cordials, concentrated syrup, extracts, essence, fruit juice, or any dry substance in concentrated form for the manufacture of any beverage, brewed ginger beer, or other non-intoxicating drink, without first obtaining a permit in writing so to do from the Medical Officer of Health and the local board of the municipality in which such manufacturing or bottling is to be conducted. Permit required for manufacturing or bottling of carbonated water, etc.

(7) When the Medical Officer and Local Board of Health desire to cancel a permit they must give notice in writing of such cancellation to the person or persons or the agent of such person or persons to whom the permit was issued and such cancellation shall not become effective until thirty days after Cancellation of permit.

receipt of such notice by the said person, persons or their agent.

Revocation  
of permit,  
on what  
grounds

- (8) Such permit may be refused and if granted may be cancelled or revoked for failure to comply with the Regulations pertaining to the building, equipment and methods of manufacture or bottling of such beverage or if such beverage upon analysis is found to be contaminated or contain any injurious ingredients, or for other cause is found to be unfit for food.

Commence-  
ment of Act.

**4.** This Act shall come into force on the first day of *March, 1924.*



No. 141.

4th Session, 15th Legislature  
13 George V, 1923

BILL.

An Act to amend The Public Health Act.

1st Reading,	8th March, 1923.
2nd Reading,	23rd March, 1923.
3rd Reading,	1923.

*(Reprinted as amended by the Municipal  
Committee.)*

MR. THOMPSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 129 of *The Assessment Act* is Rev. Stat. c. 195, s. 129, subs. 1, amended. amended by striking out the words "such occupied land" in the ninth line, and substituting therefor the word "lands," so that the subsection will read as follows:—

129.—(1) In cities of over 50,000 inhabitants on or before the first day of August, and in other cities and municipalities on or before the 15th day of September and, in the cases provided for by sections 56 to 60, one month before the date fixed for the completion of the collector's roll, the county treasurer or the treasurer of the municipality, as the case may require, shall return to the clerk of the proper municipality an account of all arrears of taxes due in respect of lands, or lands built upon, including the percentage chargeable under section 140. Return of taxes due to be made by treasurer to clerk.

2. Subsection 2 of section 129 of *The Assessment Act* is Rev. Stat. c. 195, s. 129, subs. 2, amended. amended by striking out in the third and fourth lines the word "occupied" and the words "or lands built upon," so that the subsection will read as follows:

(2) The clerk of each municipality shall, in making out the collector's roll of the year, add such arrears of taxes to the taxes assessed against such lands for the current year; and, subject to the proviso contained in subsection 1 of section 109, relating to tenants, such arrears shall be collected in the same manner and subject to the same conditions as all other taxes entered upon the collector's roll. Clerk to insert amount in collector's roll.

3. Section 131 of *The Assessment Act* is repealed.

Rev. Stat. c. 195, s. 131, repealed.

No. 142.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading,	8th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. LEWIS.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Public Utilities Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Utilities Amendment Act, 1923*. Short title.

**2.** Subsection 1 of section 26 of *The Public Utilities Act* is amended by adding thereto the following words "and for charging a penalty not to exceed 10 per cent. of the amount of the said rates, charges and rents for delayed payment thereof," so that the subsection will read as follows:— Rev. Stat. c. 204, s. 26, subs. 1, amended

26.—(1) The council may pass by-laws for the maintenance and management of the works and the conduct of the officers and others employed in connection with them, and for the collection of the rates or charges for supplying the public utility, and for the rent of fittings, machines, apparatus, meters or other things leased to consumers, and for fixing such rates, charges and rents, and the times and places when and where the same shall be payable; and for allowing for prepayment or punctual payment such discount as may be deemed expedient; and for charging a penalty not to exceed 10 per cent. of the amount of the said rates, charges and rents for delayed payment thereof. By-laws for maintenance and management of works.

**3.** Subsection 3 of section 26 of *The Public Utilities Act* is amended by adding after the word "rates" in the second line, the words "and penalties" so that the subsection will read as follows:— Rev. Stat. c. 204, s. 26, subs. 3, amended.

(3) In default of payment the corporation may shut off the supply but the rents or rates and penalties in default shall, nevertheless, be recoverable.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Public Utilities Act.

1st Reading,	8th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MATHEU.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 2 of section 354 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following words: “and the council of any city or town may by by-law provide for two additional members to be elected by general vote at the annual municipal elections,” so that the subsection will read as follows:—

1922, c. 72,  
s. 354, subs.  
2, amended

(2) The board shall consist of the mayor, a judge of the county or district court of the county or district in which the city or town is situate, and the police magistrate, and the council of any city or town may by by-law provide for two additional members to be elected by general vote at the annual municipal elections.

Who to be  
members.

**2.** Section 354 of *The Consolidated Municipal Act, 1922*, is amended by inserting the following as subsection 6a:—

1922, c. 72,  
s. 354,  
amended

(6a) If a vacancy occurs in the office of the elected members, if any, of the board, the council at a meeting called for that purpose shall elect a person to fill the vacancy for the unexpired term of the member whose seat has become vacant.

Vacancy

No. 144.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	9th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MACBRIDE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Planning and Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Planning and Development Amendment Act, 1923*. Short title.

**2.** Section 7 of *The Planning and Development Act* is 1918, c. 38, amended by adding thereto the following subsection:— s. 7, amended.

- (6) The council of the municipality within which the lands lie which it is proposed to subdivide may require the person subdividing the land to enter into an agreement providing for the improving of the streets shown on said plan by the construction and placing of all culverts and bridges that may be necessary on said streets, and further providing for the grading and gravelling of all the said streets so as to make the said streets reasonably suitable for ordinary vehicular traffic, the work required to be done by the said agreement to be carried out and completed under the supervision of the engineer of the municipality, at such time as may be agreed upon between the said municipality and the person subdividing the lands, and the expense which the municipality may be put to in connection with the approval of the said plan, the preparation of the said agreement and the carrying out of the street improvements agreed upon shall be borne by the person subdividing the said lands, and shall be payable forthwith, and if not so paid the same may be levied by the municipality against the lands so subdivided and shall be collected with and in like manner as the taxes are collected. If there should be any dispute as to the terms of the agreement or as to the amount charged by the municipality, the same

shall be referred to the board, whose determination in relation thereto shall be final and binding.

**Commence-  
ment of Act.** 3. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.





No. 145.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Planning and  
Development Act.

1st Reading,	12th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HENRY.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to authorize the Lieutenant-Governor  
in Council to guarantee the Payment  
of certain Debentures.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Debentures Guarantee* Short title.  
*Act, 1923.*

**2.** The Lieutenant-Governor in Council may authorize Authority  
the Treasurer of Ontario to guarantee the payment, on behalf to guarantee  
of Ontario, of the debentures issued or to be issued by the certain  
Presqu'île Park Commission under section 17 of *The Presqu'île* debentures.  
*Park Act, 1922.*

**3.** The form of guarantee and the manner of its execution Form of  
shall be determined by the Lieutenant-Governor in Council. guarantee.

**4.** This Act shall come into force on the day upon which Commence-  
it receives the Royal Assent. ment of  
Act.

No. 146.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to authorize the Lieutenant-Governor in Council to Guarantee the Payment of Certain Debentures.

1st Reading,	12th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SMITH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to grant aid to certain municipalities on account of losses sustained by forest fires during 1922.

**W**HEREAS owing to forest fires during the month of <sup>Preamble.</sup> October, 1922, serious damage has been done to municipal and private property in certain municipalities and school sections in the District of Temiskaming; and whereas it is in the public interest that Provincial aid should be granted to compensate these municipalities and school sections for a portion of the losses so sustained; and whereas according to official reports made to the Government of the Province out of 934 buildings in the Town of Haileybury, 798 buildings were completely destroyed by such fires, thus reducing the assessment of the rateable property from \$1,559,130 to \$800,000 of which about \$600,000 is on real property; and whereas the total debenture debt of the said Town is \$236,157.53 and the annual payment required to meet the principal and interest on such debt amounts at present to \$32,469.57 while the present tax rate is in excess of 50 mills on the dollar; and whereas it would be unduly burdensome on the ratepayers of the said Town to levy a rate to meet such annual payments and it is in the public interest that a portion of such debenture debt should be assumed and paid by the Province of Ontario, and that Provincial loans should be made under *The Ontario Housing Act, 1919*, to the said Town and to the Township of Bucke and the Town of Charlton;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Northern Fire Relief* <sup>Short title.</sup> *Act, 1923.*

2. There shall be paid out of the Consolidated Revenue <sup>Aid to Town</sup> Fund of Ontario, by order of the Lieutenant-Governor in <sup>of</sup> Haileybury. Council to the municipal corporation of the Town of Haileybury, or to the holders of debentures of the said corporation,

as the Lieutenant-Governor in Council may deem proper, by way of aid and assistance to the said corporation in the payment of its debenture indebtedness during the years mentioned commencing 1st October, 1922, the following sums amounting in all to \$197,673.41:

1922-3.....	\$32,468 57
1923-4.....	32,468 57
1924-5.....	30,839 10
1925-6.....	17,597 35
1926-7.....	17,597 35
1927-8.....	12,612 03
1928-9.....	11,408 39
1929-30.....	9,562 81
1930-1.....	9,161 60
1931-2.....	7,809 34
1932-3.....	5,098 12
1933-4.....	3,894 48
1934-5.....	1,431 14
1935-6.....	1,431 14
1936-7.....	1,431 14
1937-8.....	1,431 14
1938-9.....	1,431 14

and the said corporation of the Town of Haileybury is relieved from the levying of any rate in such years to the extent to which it is necessary to provide for the payment of the sums above set out.

Restriction  
on  
incurring  
further debt.

**3.** The said corporation shall not incur any further debt by the issue of debentures during a period of ten years from the first day of January, 1923, without the approval of the Ontario Railway and Municipal Board, which approval shall not be given unless it is shown to the satisfaction of the Board that the moneys are to be expended on permanent works or improvements which in the interests of the corporation at large should not be postponed.

Limit of  
tax rate.

**4.** During ten years from the first day of January, 1923, the tax rate imposed by the council of the said Town shall not exceed that imposed for the year 1922, except with the approval of the Ontario Railway and Municipal Board, which approval shall not be given unless it is shown to the satisfaction of the Board that such increase is necessary in the public interest and cannot be avoided.

Corporation  
may borrow  
from  
Lieutenant-  
Governor in  
Council.

**5.** The provisions of section 2 of 10-11 George V, c. 83, shall not apply to any money borrowed by the corporations of the Town of Haileybury, or the Town of Charlton or the Township of Bucke from the Lieutenant-Governor in Council under and for the purposes of *The Ontario Housing Act, 1919*.

**6.** There shall be paid out of the Consolidated Revenue Fund of Ontario by order of the Lieutenant-Governor in Council upon such terms and conditions as he may deem proper, to the following municipal corporations and boards of school trustees, the sums mentioned opposite their respective names on account of unpaid taxes for the year 1922 which are uncollectable, owing to the properties against which they are charged having been entirely destroyed by the recent forest fires:

Township of Harris.....	\$460 00
Hilliard.....	7,795 00
Evanturel.....	3,600 00
Kerns.....	1,277 00
Casey.....	3,300 00
Armstrong.....	1,500 00
Dack.....	3,000 00
Brethour.....	2,550 00
Harley.....	3,000 00
Bucke.....	10,120 00
Dymond.....	696 33
Village of Thornloe.....	875 00
Town of Charlton.....	6,364 00
Board of Trustees of School Section No. 3, Township of Robillard.....	157 15
Board of Trustees of Savard Consolidated School Section.....	642 76
Board of Trustees of School Section No. 1 Bryce and Beauchamp Townships.....	178 20
Board of Trustees of School Section No. 1, Township of Ingram...	197 36
Board of Trustees of School Section No. 2, Township of Ingram and Pense.....	51 95

**7.** There shall be paid out of the Consolidated Revenue Fund of Ontario by order of the Lieutenant-Governor in Council upon such terms and conditions as he may deem proper to the following municipal corporations on account of losses sustained by reason of their municipal buildings, road machinery, municipal telephone plant and side-walks, and other

municipal property, being destroyed by the recent forest fires the sums set opposite their respective names as follows:

Township of Kerns.....	\$800 00
Hilliard.....	1,500 00
Bucke.....	8,735 00
Village of Thornloe.....	1,000 00
Town of Charlton.....	6,630 00

Commence-  
ment of  
Act.

8. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.









No. 147.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to grant aid to certain municipalities on account of losses sustained by forest fires during 1922.

1st Reading,	12th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DRURY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Highway Improvement Amendment Act, 1923*. Short title.

2. Section 7 of *The Highway Improvement Act* as amended by *The Highway Improvement Act, 1920*, is repealed and the following substituted therefor:— Rev. Stat. c. 40, s. 7, as amended by 1920, c. 20, s. 12, repealed.

7. The council of a county, in which highway improvements are undertaken under this Act, shall by by-law appoint an engineer or some other competent person to act as County Road Superintendent under the direction of the council. Appointment of County Road Superintendent.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Highway Improvement Act.

1st Reading,	13th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MEWHINNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Consolidated Municipal  
Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario enacts  
as follows:—

1. Subsection 13 of section 237 of *The Consolidated Municipal Act, 1922*, is amended by inserting after the words "shall not apply" in the first line the words "to a township having a population of not less than 15,000 or " so that the subsection will read as follows:—

1922, c. 72  
s. 237  
subs. 13,  
amended.

(13). The next preceding five subsections shall not apply to a township having a population of not less than 15,000 or to a township municipality in a provisional judicial district, or in the electoral district of North Renfrew, or in the Provisional County of Haliburton.

Printing and  
publishing  
financial  
statement.

No. 149.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	13th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend the School Laws.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The School Law Amendment Act, 1923*. Short title.
2. Section 10 of *The Public Schools Act, 1920*, is amended by adding thereto the following subsection:— 1920, c. 100, s. 10, amended.
  - (2) Notwithstanding anything in subsection 1, lands Disposal of school lands by boards. originally granted or conveyed by the Crown for common school purposes and held by the trustees of a school section or municipality may be leased, sold or otherwise disposed of with the approval of the Lieutenant-Governor in Council and upon such conditions as to the investment or application of the proceeds or otherwise as may be prescribed in the order granting such approval.
3. Subsection 3 of section 15a of *The Public Schools Act, 1920*, as enacted by section 5 of *The School Law Amendment Act, 1921*, is amended by striking out all the words therein after the word "area" in the second line, and inserting in lieu thereof the words, "and the council may by resolution provide for the election of six trustees by a general vote of the rate-payers of the township school area, or it may divide the township school area into districts and provide for the election of two trustees for each of such districts," and by adding to the said subsection the following clause:— 1921, c. 89, s. 5, amended.

- (a) The term of office and period of retirement and the election of trustees shall be as nearly as possible in accordance with the provisions for the term of office, retirement and election of trustees in urban municipalities;

so that the subsection will now read as follows:—

Board of trustees in township school area.

- (3) There shall be a board of public school trustees for every township school area, and the council may by resolution provide for the election of six trustees by a general vote of the ratepayers of the township school area, or it may divide the township school area into districts and provide for the election of two trustees for each of such districts.

Tenure of office.

- (a) The term of office and period of retirement and the election of trustees shall be, as nearly as possible in accordance with the provisions for the term of office, retirement and election of trustees in urban municipalities.

1920, c. 100, s. 20, cl. b, repealed.

4. The clause lettered *b* in subsection 20 of section 20 of *The Public Schools Act, 1920*, is repealed and the following substituted therefor:—

School arbitrators in districts.

- (b) The arbitrators shall be,—one person appointed by each of the councils of the organized municipalities concerned, the inspector of the district and the judge of the county or district court or some person named by him, and they shall have all the powers of the board of arbitrators mentioned in the preceding subsections of this section, all of which, so far as applicable, shall apply to the subject matter of this subsection.

1920, c. 100, s. 21, subs. 1, amended.

5. Subsection 1 of section 21 of *The Public Schools Act, 1920*, is amended by striking out the figures "21" at the end of the subsection and inserting in lieu thereof the figures "20."

1920, s. 100, s. 22, subs. 1, repealed.

6. Subsection 1 of section 22 of *The Public Schools Act, 1920*, is repealed and the following substituted therefor:—

Appeals to Minister from school arbitrators in case of union school section.

- (1) Where territory which it is proposed to form into a union school section or where the union school section which it is proposed to alter or dissolve comprises an organized or unorganized township or any part thereof, and an urban municipality, or lies in more than one county, or in a district, the board, or any five ratepayers in the union school section or territory concerned, or any inspector or inspectors may at any time appeal to the Minister from any award made by arbitrators for or against the formation, alteration or dissolution of such section or against the refusal or neglect of the council or councils concerned to appoint arbitrators as provided in section 20.

**7.** Subsection 2 of section 22 of *The Public Schools Act, 1920*, 1920, c. 100, is amended by striking out the figures "21" in the fifth line, 1920, c. 100, s. 22, subs. 2, amended. and inserting in lieu thereof the figures "20."

**8.** Subsection 4 of section 31 of *The Public Schools Act, 1920*, 1920, c. 100, is amended by adding at the end thereof the words, "nor in 1920, c. 100, s. 31, subs. 4, amended. any case to the lands of residents in a consolidated school section," so that the subsection will now read as follows:—

- (4) A person whose place of residence is distant more than three miles by the nearest public highway from the school of the section shall be exempt from all rates for school purposes unless a child of such person attends such school; but this exemption shall not apply to lands liable to taxation for school purposes owned by such person within such distance, nor to the lands of non-residents, nor to the lands of residents in the section who have no children of school age, nor in any case to the lands of residents in a consolidated school section. Exemption from rate on account of distance.

**9.** Section 37a of *The Public Schools Act, 1920*, as enacted by section 6 of *The School Law Amendment Act, 1921*, is 1921, c. 89, s. 6, repealed. amended by adding thereto the following subsections:—

- (2) A board of public school trustees with the approval of the inspector may by resolution provide that the taxes shall be paid in full or by instalments on or before a day or days to be named in the resolution, and that on the punctual payment of any instalment the time for the payment of any remaining instalment shall be extended to a day or days to be named, or may provide that in default of payment of any such instalment the subsequent instalment or instalments shall forthwith become payable. Payment of school rates in unorganized townships.

- (3) The board in and by the same resolution may provide that a discount shall be allowed for the payment of taxes or any instalment thereof on or before a day named in the resolution and may impose a percentage charge for non-payment of such taxes or any instalments thereof by a day named in such resolution; provided, that in no case shall any discount allowed or percentage charge added under this section exceed five per cent. of the amount of the taxes due. Allowing discount or imposing additional percentage.

**10.** Subsection 2 of section 51 of *The Public Schools Act, 1920*, is repealed and the following substituted therefor:— 1920, c. 100, s. 51, subs. 2, repealed.

Number of  
rural trus-  
tees to be  
elected—  
term of  
office.

- (2) For every rural school section where the elections are not held by ballot and except as otherwise herein provided, there shall be three trustees, each of whom in rotation shall hold office for three years and until his successor has been elected, but where the election of trustees is by ballot there shall be six trustees elected and their respective terms of office shall be fixed in the same manner as provided by section 61, in the case of the board of a town or village.

1920, c. 100,  
s. 64, subs. 1,  
amended.

- 11.** Subsection 1 of section 64 of *The Public Schools Act, 1920*, is amended by adding after the word "board" in the second line the words "or the board of a school section having a population of five hundred or over," and by adding after the word "township" in the fifth line the words "or school section," so that the subsection will now read as follows:—

Election of  
trustees on  
same day as  
municipal  
elections.

- (1) The board of an urban municipality or a township board, or the board of a school section having a population of five hundred or over, may by resolution, of which written notice shall be given to the clerk of the municipality on or before the 1st day of October in any year, require the election of school trustees for such urban municipality or township, or school section, to be held by ballot on the same day as municipal councillors or aldermen are elected as the case may be.

1920, c. 100,  
s. 64,  
amended.

- 12.** Section 64 of *The Public Schools Act, 1920*, is amended by adding thereto the following subsection:—

Expenses of  
election by  
ballot in  
school sec-  
tion.

- (6) In the case of an election in a rural school section held under this section, the expenses in connection with the election shall be paid by the board of trustees.

1920, c. 100,  
s. 72,  
amended.

- 13.** Section 72 of *The Public Schools Act, 1920*, is amended by striking out the words "two trustees," in the third line, and inserting in lieu thereof the words, "a majority of the members constituting a board," so that the section will now read as follows:—

Quorum of  
rural school  
boards.

72. No act or proceeding of a rural school board which is not adopted at a regular or special meeting at which at least a majority of the members constituting the board are present, shall be valid or binding.

1920, c. 100,  
s. 76, cl. p,  
amended.

- 14.** The clause lettered *p* in section 76 of *The Public Schools Act, 1920*, is amended by adding after the word "monthly"

in the third line, the words, "and in districts for the payment of debentures as they become due," so that the clause will now read as follows:—

76. It shall be the duty of the boards of all public schools and they shall have power:

- (p) To provide, in the case of rural schools, for the payment of a secretary's and teachers' salaries monthly, and in districts for the payment of debentures as they become due, and, if necessary, to borrow on the promissory note of the board, under its corporate seal, at interest not exceeding eight per cent, per annum, such moneys as may be required for that purpose until the taxes imposed therefor are collected.

**15.** The clause lettered *b* in section 81 of *The Public Schools Act, 1920*, is amended by inserting at the commencement of the said clause the words, "in the case of a rural school section," so that the said clause will now read as follows:—

81. It shall be the duty of the secretary:

- (b) In the case of a rural school section to call a special meeting of the board at the request in writing of two trustees or of five electors, specifying the objects for which the meeting is to be held, and to state the objects of the meeting in the notice calling the same.

**16.** *The High Schools Act* is amended by adding thereto the following section:—

*County Consultative High School Committee.*

- 6a.—(1) The council of the county may by by-law provide for the appointment of a committee to be known as the County Consultative High School Committee which shall consist of:—

- (a) the public school inspector or inspectors in the county;
- (b) three ratepayers in the county appointed by the county council; and
- (c) a representative of the Department of Education appointed by the Minister on the application of the council.

Chairman.

- (2) The by-law shall provide for the appointment of a chairman of the Committee.

Duties of Committee.

- (3) It shall be the duty of the committee and they shall have power:—

- (a) to familiarize themselves by personal inquiry and otherwise with the requirements of the county with regard to secondary education and the provisions therefor in the county;
- (b) to meet from time to time for consultation with respect to such requirements and provisions;
- (c) to investigate and report upon questions relating to secondary education submitted to them by the council of the county or by any high school board or continuation school board in the county;
- (d) to hold such further inquiry and furnish such information as the Minister may from time to time direct or require.

Rev. Stat.  
c. 268, s. 33;  
1921, c. 89,  
s. 14,  
repealed.

**17.** Section 33 of *The High Schools Act* as amended by section 6 of *The School Law Amendment Act, 1915*, and sections 34 and 35 of *The High Schools Act* as re-enacted by section 14 of *The School Law Amendment Act, 1921*, are repealed and the following substituted therefor:—

Agreement  
by county to  
co-operate  
with muni-  
cipalities in  
cost of high  
school  
education.

- 33.—(1) The council of a county may before the 1st day of July in any year by by-law decide to provide for the cost of education of pupils at the high schools in the county by co-operation with the boards of high school trustees of the municipalities in the county on the following basis: fifty per cent. of the cost of education of resident pupils in any school to be borne by the county and fifty per cent. of such cost by the high school district; and fifty per cent. of the cost of education of county pupils to be borne by the county and fifty per cent. of such cost by the municipalities in which the parents or guardians of the pupils reside.

Repeal of  
county by-  
law.

- (2) With the approval of the Lieutenant-Governor in Council, the council of a county by by-law passed by a two-thirds vote of the members of the council present and voting thereon, before the 1st day of July in any year, may repeal any by-law passed

under subsection 1 and thereafter and until another by-law is passed under subsection 1, section 34 shall apply as to the apportionment of the cost of education of resident pupils and county pupils in the county.

- (3) Where the council of a county has passed a by-law under subsection 1, and while such by-law remains in force, the cost of education of resident and county pupils shall be determined as follows:—

Mode of determining cost of education of resident and county pupils.

The total cost per pupil per day shall be calculated by adding to the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) the total cost of maintenance of the high school, and subtracting from this sum the amount apportioned out of the legislative grant and any amounts received from fees and from the councils of other counties for the education of non-resident pupils, and dividing the remainder by the total number of days' attendance of all pupils at the school during the year; the cost of education of resident pupils shall then be calculated by multiplying the cost per pupil per day by the total number of days' attendance of resident pupils during the year, and the cost of education of county pupils, by multiplying the cost per pupil per day by the total number of days' attendance of county pupils during the same period.

- (4) Where the corporation of the county and any board or municipality do not agree as to the amount payable under subsections 1 and 3, such amount shall be ascertained by the judge on application of either party in a manner similar to that provided for in the case of an application to the judge under section 34, and the provisions of that section as to such an application and the reward to be made thereon shall *mutatis mutandis* apply.
- (5) The costs of a reference to the judge shall be in his discretion and the amount thereof shall be fixed by him, and he may direct to and by whom and in what manner the same shall be paid.

Arbitration by judge in case of disagreement.

Costs of reference.

- 34.—(1) Where the council of any county has not passed the by-law mentioned in subsection 1 of section 33, it shall on or before the 15th day of December in each year, pay to the board of every high school in

Where no agreement for co-operation,—county to pay equivalent of legislative grant.

towns not separated from the county, and in villages and townships within the county for the maintenance of the high schools, an amount equal to that apportioned by the Minister to such high schools out of the legislative grant for the maintenance of high schools.

Where cost  
of county  
pupils ex-  
ceeds legis-  
lative grant.

- (2) Where the cost of education of county pupils at a high school exceeds the amount apportioned by the Minister, the council shall in lieu of the equivalent of the amount apportioned out of the legislative grant provided in subsection 1 above, pay to the board a sum to be calculated as follows:—

To eighty per cent. of the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) shall be added the total cost of maintenance of the high school; the amount apportioned out of the legislative grant, and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years, and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years; and to the resulting amount there shall be added the share of the said amount which the town, village or township which constitutes a high school district shall bear of the said amount as included in the rates levied by the county council, according to the relative equalized value, and the total amount so ascertained shall be the sum payable by the council to the board.

Reckoning  
attendance.

- (3) Where a high school has not been in existence for three years the attendance shall be reckoned for the period during which it has been open.

Agreement  
to settle  
amount.

- (4) The board and the county council may, by agreement, settle the amount to be paid by the county for the education of county pupils in any year, but if they do not agree the same shall be settled by the judge on the application of either party.

Agreement  
not to affect  
county  
grant.

- (5) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 39.

Term of  
award of  
judge.

- (6) Where a high school has been in existence for three years or more an award made by the judge shall be



binding for three years, and where it has not been in existence for three years, for one year only.

- (7) In case of a reference the board shall submit to the judge a detailed statement of all receipts and expenditures for the high school for each of the preceding years or a less period under consideration, which shall be certified by the auditors, and a statement certified by the chairman of the board, of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of the county pupils on whose account the demand for payment is made, and a statement, certified by the chairman, of the amount apportioned out of the legislative grants during each of such years or during such period, and shall also furnish to the judge such further information as he may require. Material to be submitted on reference.
- (8) The costs of a reference to the judge shall be in his discretion and the amount thereof shall be fixed by him, and he may direct to and by whom and in what manner the same shall be paid. Costs of reference to Judge.
- 35.—(1) Where the board of a city or a separated town has notified the county clerk that the high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year, pay a sum equal to eighty per cent. of the cost of education of county pupils at such high school. Maintenance of county pupils at high schools.
- (2) Where the board of a city, town, village or township has notified the clerk of any county adjacent to that in which the high school is situate that such high school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall, on or before the 15th day of December in each year, pay for the education of pupils from such county attending such high school a sum equal to eighty per cent. of the cost of the education of pupils at such high school. Maintenance of pupils from adjacent county.
- (3) Where the board of a municipality contiguous to a city gives notice to the city clerk that such high school is open to city pupils on the same terms as it is open to the resident pupils of the municipality in which the high school is situate, the council of the Contributions by city to cost of maintenance of pupils at school in adjoining municipality.

city shall, on or before the 15th day of December in each year, pay to the board eighty per cent. of the cost of the education of city pupils at the high school.

Mode of  
ascertaining  
amount  
payable by  
city.

- (4) The amount payable under subsections 1, 2 and 3 shall be ascertained as follows:—

The total expenditure on the high school shall be determined by taking the sum of the total expended for maintenance and the total expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) from the total expenditure thus calculated the amount apportioned out of the legislative grant, and any sums received for fees shall first be deducted, the remainder shall be divided by the total number of days' attendance of all pupils at such high school during the year for which payment is to be made; the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom such county or municipality is liable; the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by such county or municipality.

Award of  
judge.

- (5) Where the parties do not agree as to the amount so payable, the same shall be ascertained by the judge on application of either party in a manner similar to that provided for in case of an application to the judge under section 34, and the provisions of that section as to such an application and the award to be made thereon shall *mutatis mutandis* apply.

County  
grant to  
agricultural  
department.

- 35a. Where an agricultural department is established by the Minister in a high school, the council of the county in which the high school is situate shall, on or before the 15th day of December in each year, pay to the board of the school in which such department is established, the sum of \$500, which shall be applied by the board to the purposes of such department.

Rev. Stat.  
c. 267, s. 6,  
amended.

- 18.** Section 6 of *The Continuation Schools Act* is repealed and the following substituted therefor:—

Continua-  
tion school  
not to be  
established  
in high  
school dis-  
trict.

- 6.—(1) Except as hereinafter provided a continuation school shall not be established or maintained in a high school district.

- (2) On the joint report of the inspectors of continuation schools and the inspectors of high schools, stating that a high school is not reasonably accessible to the pupils of any village or school section which is part of a high school district, the Minister may approve of the establishment of a continuation school in such village or school section.

Where high school not reasonably accessible.

**19.** Section 7 of *The Continuation Schools Act* as re-enacted 1921, c. 89, by section 12 of *The School Law Amendment Act, 1921*, is repealed, and the following substituted therefor:—

- 7.—(1) (a) Where a by-law has been passed by the council of a county under subsection 1 of section 33 of *The High Schools Act* and while such by-law remains in force the same provisions for cost of education shall apply to the continuation schools of the county, that is to say, fifty per cent. of the cost of education of resident pupils in any school shall be borne by the county and fifty per cent. of such cost by the board of trustees of the continuation school, and fifty per cent. of the cost of education of county pupils shall be borne by the county and fifty per cent. of such cost by the municipalities in which the parents or guardians of the pupils reside.
- (b) The cost of education of resident and county pupils shall be determined as follows:—The total cost per pupil per day shall be calculated by adding to the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) the total cost of maintenance of the continuation school, and subtracting from this sum the amount apportioned out of the legislative grant and any amounts received from fees and from the councils of other counties for the education of non-resident pupils, and dividing this difference by the total number of days' attendance of all pupils at the school during the year; the cost of education of resident pupils shall then be calculated by multiplying the cost per pupil per day by the total number of days' attendance of resident pupils during the year, and the cost of education of county pupils, by multiplying the cost per pupil per day by

Cost of education—co-operation of county and municipality.

Determining cost of education.

the total number of days' attendance of county pupils during the same period.

- (c) Where the parties concerned do not agree as to the amount payable under clauses *a* and *b* above, the same shall be ascertained by the judge on application of either party.
- (d) On the reference to the judge the board shall submit to him statements similar to those mentioned in clause *e* of subsection 2, certified in a similar manner, and shall furnish such further information as he may require.

Liability of  
county  
where no co-  
operative  
by-law.

- (2) (a) Where the council of any county has not passed a by-law under subsection 1 of section 33 of *The High Schools Act*, it shall, on or before the 15th day of December in each year pay to the boards of all continuation schools in towns not separated from the county and in villages and townships in the county for the maintenance of continuation schools without any deduction on account of fees paid for county pupils, an amount equal to that apportioned by the Minister to such continuation schools out of the legislative grant for the maintenance of continuation schools.

When fur-  
ther grant  
to be made.

- (b) Where the cost of education of county pupils at a continuation school exceeds the amount apportioned by the Minister and the fees received, the county shall, in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum to be calculated as follows: To eighty per cent. of the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) shall be added the total cost of maintenance of the continuation school, the amount apportioned out of the legislative grant, and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years, and the resulting amount shall be multiplied by the total number of days' attendance of county

pupils during the same three years, and the resulting amount shall be payable by the county.

- (c) Where a continuation school has not been in existence for three years, the attendance shall be reckoned for the period during which it has been open. Reckoning attendance in case of new school.
- (d) The board and the county council may by agreement settle the amount to be paid by the county for the education of county pupils in any year, but if they do not agree the same shall be settled by the judge on the application of either party. Agreement or reference to county judge.
- (e) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 8. Not to affect county aid.
- (f) Where a continuation school has been in existence for three years or more, an award made by the judge shall be binding for three years, and where it has not been in existence for three years, for one year only. Term of award.
- (g) In case of a reference the board shall submit to the judge a detailed statement of all receipts and expenditures for the continuation school for each of the preceding years or a less period under consideration, which shall be certified by the auditors, and a statement certified by the chairman of the board, of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of county pupils on whose account the demand for payment is made, and a statement, certified by the chairman, of the amount apportioned out of the legislative grant and of all fees received during each of such years or during such period, and shall also furnish to the judge such further information as he may require. Statements to be submitted on reference.
- (h) For the purposes of this section the terms "county pupils," "non-resident pupils," and "resident pupils," shall have the same meaning as in *The High Schools Act*. Meaning of "county pupils," etc.

Maintenance  
of county  
pupils at  
own school.

- (3) (a) Where the board of a continuation school in a separated town has notified the county clerk that the continuation school is open to county pupils on the same terms as continuation schools in municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year, pay a sum equal to eighty per cent. of the cost of the education of such county pupils at such continuation school.

Pupils from  
adjacent  
county.

- (b) Where the board of a continuation school in a town not separated from the county or in a village or township has notified the clerk of any county adjacent to that in which the continuation school is situate, that such school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall, on or before the 15th day of December in each year, pay for the education of pupils from such county attending the continuation school a sum equal to eighty per cent. of the cost of the education of pupils at such continuation school.

Mode of  
ascertaining  
amount  
payable by  
county.

- (c) The amount payable under clauses *a* and *b* shall be ascertained as follows:

The total expenditure on the continuation school shall be determined by taking the sum of the total expenditure for maintenance and the total expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) from the total expenditure thus calculated the amount apportioned out of the legislative grant, and any sum received from fees shall first be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at such continuation school during the year for which payment is to be made; the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom the county is liable; the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by the county.

- (d) Where the parties do not agree as to the amount so payable, the same shall be ascertained by the judge on the application of either party. Reference to county judge.
- (e) On the reference to the judge, the board shall submit to him statements similar to those mentioned in clause g of subsection 2 certified in a similar manner, and shall furnish such further information as he may require. Material to be submitted.
- (f) The costs of a reference to the judge under this section shall be in his discretion, and the amount thereof shall be fixed by him and he may direct to and by whom and in what manner the same shall be paid. Cost of reference.

**20.** Section 6 of *The Vocational Education Act, 1921*, is amended by adding thereto the following subsection: 1921, c. 90, s. 6, amended.

- (5) Subject to the Regulations, pupils of thirteen years of age and over, who have been in attendance in auxiliary training classes, may, with the approval of the Minister and upon an examination conducted subject to his direction, be admitted to special industrial classes established by a board for the purpose of giving vocational instruction to such pupils where it is found that they may be benefitted by it. Admission of pupils from auxiliary training classes.

**21.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

No. 150.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend the School Laws.

1st Reading,	14th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. GRANT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 6 of section 417 of *The Consolidated Municipal Act, 1922*, is repealed and the following substituted therefor:—<sup>1922, c. 72, s. 417, par. 6, repealed.</sup>

6. For licensing, regulating and controlling all places where food stuffs intended for human consumption are made for sale, offered for sale, stored or sold.<sup>Licensing food shops.</sup>

(a) The license fee shall not exceed the sum of \$1 for one year.<sup>Fees.</sup>

No. 151.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	14th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. PRICE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Consolidated Municipal Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 3 of section 409 of *The Consolidated Municipal Act, 1922*, is repealed. 1922, c. 72, s. 409, par. 3, repealed.

2. Section 406 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following as paragraph 14: 1922, c. 72, s. 406, amended.

### *Sidelights on Horse-drawn Vehicles.*

14. For requiring all horse-drawn vehicles using the public highways after dusk and before dawn to carry lighted sidelights plainly visible from in front of and from behind such vehicles. Horse-drawn vehicles to carry sidelights at night.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Consolidated  
Municipal Act, 1922.

1st Reading,	14th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Landlord and Tenant Act.

**H**IS MAJESTY, by and with the consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** The Act may be cited as *The Landlord and Tenant Amendment Act, 1923.* Short title.

**2.** Section 65 of *The Landlord and Tenant Act* is amended by adding thereto the following subsection: Rev. Stat. c. 155, s. 65, amended.

- (2) Where it has been proved to the satisfaction of the Judge that the tenant disputes the right of the landlord to distrain in respect of the whole or any part of the goods or chattels, or disputes the amount claimed by the landlord, the landlord or the tenant may apply to the Judge to determine the matter so in dispute, and the Judge may hear and determine the same in a summary way, and may make such order in the premises as he may deem just. Application to Judge by landlord or tenant.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Landlord and  
Tenant Act.

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1st Reading,	14th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR. HILL.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Voters' Lists.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Voters' Lists Act*, Short title.  
1923.

**2.** Whenever, through accident, fire or otherwise, it occurs Preparation of list where that a municipality has no assessment rolls, then Voters' assessment roll Lists shall be prepared in the same manner as set forth in destroyed. Part IV of *The Ontario Voters' Lists Act, 1922.* 1922, c. 4.

**3.** This Act shall come into force on the day upon which Commence-  
ment of a t it receives the Royal Assent.

No. 154

4th Session, 15th Legislature,  
13 George V, 1923

BILL

An Act respecting Voters' Lists.

1st Reading,	16th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. FERGUSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Interpretation Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Interpretation Amendment Act, 1923.* Short title.

**2.** Subsection 1 of section 23 of *The Interpretation Act* is amended by adding at the end thereof the words "or by the clerk of a county or local municipality in which the oath is administered" so that the subsection will now read as follows:— Rev. Stat. c. 1, s. 23, subs. 1, amended.

(1) Where by an Act of this Legislature or by a rule of the Assembly, or by an order, regulation or commission made or issued by the Lieutenant-Governor in Council under a law authorizing him to require the taking of evidence under oath, an oath is authorized or directed to be made, taken or administered, the oath may be administered and a certificate of its having been made, taken or administered may be given by anyone named in the Act, rule, order, regulation or commission, or by a Judge of any Court, a Notary Public, Justice of the Peace, or Commissioner for taking affidavits, having authority or jurisdiction in the place where the oath is administered or by the clerk of a county or local municipality in which the oath is administered. Administration of oath.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Interpretation Act.

1st Reading,	20th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. WALKER.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL



## An Act to amend The Commissioners for Taking Affidavits Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Commissioners for Taking Affidavits Act, 1923.* Short title

**2.** Section 3 of *The Commissioners for Taking Affidavits Act* is amended by adding thereto the following subsection: Rev. Stat. c. 71, s. 3, amended.

(1a) Where the judge of a county or district court of a county or district certifies in writing that having regard to public convenience, it is expedient that the clerk of any township in the county or district should be appointed a commissioner for taking affidavits under this Act, a commission shall be issued to such clerk as provided in subsection 1. Clerk of township may be appointed commissioner.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Commissioners for  
Taking Affidavits Act.

1st Reading,	20th March, 1923.
2nd Reading,	4th April, 1923.
3rd Reading,	1923.

(Reprinted as amended by the Legal Com-  
mittee).

MR. WALKER.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Land Transfers Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

**1.** This Act may be cited as *The Land Transfers Tax Act*, Short title.  
1923.

**2.** Subsection 2 of section 6 of *The Land Transfers Tax Act* 1922, c. 15,  
s. 3, as re-enacted by section 3 of *The Land Transfers Tax Act*, amended.  
1922, is amended by adding thereto the words "or by the  
solicitor who drew the instrument or by any subsequent  
purchaser or mortgagee from the purchaser or any agent or  
officer of such subsequent purchaser or mortgagee" so that  
the subsection will now read as follows:—

(2) The affidavit may be made by the purchaser or By whom  
to be made.  
vendor or by any person acting for them under a  
power of attorney, or by an agent accredited in  
writing by the purchaser or vendor, or by the  
solicitor for either of them or by the solicitor who  
drew the instrument or by any subsequent purchaser  
or mortgagee from the purchaser or any agent or  
officer of such subsequent purchaser or mortgagee.

**3.** This Act shall come into force on the day upon which Commence-  
ment of Act.  
it receives the Royal Assent.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Land Transfers  
Tax Act.

1st Reading,	21st March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. PRICE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Land Transfers Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Land Transfers Tax Act*, <sup>Short title.</sup>  
1923.

**2.** Subsection 2 of section 6 of *The Land Transfers Tax Act* <sup>1922, c. 15,</sup>  
as re-enacted by section 3 of *The Land Transfers Tax Act*, <sup>s. 3,</sup> amended.  
1922, is amended by adding thereto the words "*or by some other person approved by the Treasurer of Ontario,*" so that the subsection will now read as follows:—

(2) The affidavit may be made by the purchaser or <sup>By whom</sup>  
vendor or by any person acting for them under a <sup>to be made,</sup>  
power of attorney, or by an agent accredited in  
writing by the purchaser or vendor, or by the  
solicitor for either of them or by *some other person*  
*approved by the Treasurer of Ontario.*

**3.** This Act shall come into force on the day upon which <sup>Commence-</sup>  
it receives the Royal Assent. <sup>ment of Act.</sup>

No. 156

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Land Transfers  
Tax Act.

1st Reading,	21st March, 1923.
2nd Reading,	16th April, 1923.
3rd Reading,	1923.

*(Reprinted as amended by the  
Legal Committee)*

MR. PRICE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to repeal The Natural Gas Conservation  
Acts of 1921 and 1922.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario  
enacts as follows:—

**1.** This Act may be cited as *The Natural Gas Conservation* Short title.  
*Act, 1923.*

**2.** *The Natural Gas Conservation Act, 1921*, and *The Natural* 1921, c. 17,  
1922, c. 23,  
repealed.  
*Gas Conservation Act, 1922*, and all orders, decisions or decrees  
made by the Referee or the Board of Reference under or by  
virtue of either of the said Acts are repealed.

**3.** This Act shall come into force on the day upon which Commence-  
ment of Act.  
it receives the Royal Assent.

No. 157.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to repeal The Natural Gas Conservation Acts of 1921 and 1922

1st Reading,	22nd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SWAYZE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting The Queen Victoria Niagara Falls Park.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Queen Victoria Niagara Falls Park Act, 1923*. Short title.

**2.** It is declared that the debentures of the Commissioners of the Queen Victoria Niagara Falls Park issued or purporting to be issued pursuant to the authority contained in section 12 of *The Queen Victoria Niagara Falls Park Act* passed in 1910, Chapter 21, to the amount of \$200,000, dated the 1st day of July, 1910, and payable on the 1st day of January, 1927, and bearing interest at the rate of four per cent. per annum payable semi-annually on the 1st days of January and July in each year, and endorsed or purporting to be endorsed with the guarantee of the Province are and have always been legal, valid and binding obligations of the Commissioners of the Queen Victoria Niagara Falls Park and that the guarantee of the payment of the principal and interest of the said debentures by the Province of Ontario endorsed thereon is and has always been legal, valid and binding upon the Province of Ontario notwithstanding any defect in substance or form in the said debentures or in the said guarantee or any act or omission on the part of the Commissions of the Queen Victoria Niagara Falls Park. Validity of debentures.

**3.** *The Queen Victoria Niagara Falls Park Act* is amended by adding thereto the following section:— Rev. Stat. c. 50, amended.

**17a.—(1)** *The Public Vehicles Act, 1923*, shall apply to the highways, roads, boulevards and public places vested in the Commissioners and over which the Commissioners have control except that as to such highways, roads, boulevards and public places the Commissioners shall be deemed to be substituted for the Department of Public Highways Where highways vested in Commissioners.

and for the Lieutenant-Governor in Council, and the licenses, fees and tolls collected by the Commissioners and the penalties imposed under the said Act or under any regulations made thereunder, shall be payable to the Commissioners and shall be accounted for and dealt with in the manner provided by section 23 and the following sections of this Act.

Regulations.

- (2) The regulations made by the Commissioners under the authority of subsection 1 shall be subject to the approval of the Lieutenant-Governor in Council.

Commence-  
ment of Act.

4. Section 3 of this Act shall come into force on the 1st day of July, 1923, and the remaining portions on the day upon which it receives the Royal Assent.



4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting The Queen Victoria  
Niagara Falls Park.

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1st Reading,	23rd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR. BIGGS.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Rural Hydro-Electric Distribution Act, 1921.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Rural Hydro-Electric Distribution Act, 1923*. Short title.

**2.** Section 4a of *The Rural Hydro-Electric Distribution Act, 1921*, as enacted by section 2 of *The Rural Hydro-Electric Distribution Act, 1922*, is repealed and the following substituted therefor:— 1922, c. 32, s. 2 repealed.

**4a.** Where the corporation of a township or of an urban municipality supplies or distributes electrical power or energy in an adjoining township under the provisions of section 24 of *The Public Utilities Act*, or under any other general or special Act, or within any such rural power district, there may be paid to such corporation upon the recommendation of the Hydro-Electric Power Commission of Ontario and the order of the Lieutenant-Governor in Council, a sum not exceeding fifty per cent. of the capital cost of constructing and erecting in such adjoining township or rural power district, primary transmission lines and cables required for the delivery of power or energy in such adjoining township or any such rural power district. Payment of grant where municipality is distributor of power.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

No. 159.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Rural Hydro-  
Electric Distribution Act, 1921.

1st Reading,	23rd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. CARMICHAEL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** *The Local Improvement Act* is amended by inserting after section 35 the following as section 35a:— Rev. Stat.  
c. 193,  
amended

35a.—(1) In ascertaining the actual cost of the work under the next preceding section where in the opinion of the Clerk and Assessment Commissioner or Treasurer the cost of the unfinished work or unsettled claims for lands taken or injuriously affected by the opening, widening, extending and grading, altering the grade of, diverting or improving a street, will not exceed in amount 25 per cent. of the total estimated cost of the work, the Clerk and Assessment Commissioner or Treasurer may estimate the cost of such unfinished work, and the amount of all such claims, and the amount may be included in the actual cost to be ascertained and certified under the next preceding section, and shall be deemed to be the correct amount thereof subject to any order made with reference thereto by the Court of Revision. Estimate of  
cost of un-  
finished  
work and  
unsettled  
claims.

(2) Should the cost of the unfinished work and the unsettled claims referred to in subsection 1 be ascertained to exceed the amount so estimated by the Clerk and Assessment Commissioner or Treasurer the excess over the estimated amount shall be borne by the Corporation. Excess over  
estimate to  
be borne by  
Corporation

No. 160.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Local Improvement Act.

1st Reading,	23rd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. THOMPSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Local Improvement Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Local Improvement Amendment Act, 1923*.

2. *The Local Improvement Act* is amended by inserting after section 35 the following as section 35a:—

Rev. Stat.  
c. 193,  
amended.

35a.—(1) In ascertaining the actual cost of the work under the next preceding section where in the opinion of the *Engineer* and Assessment Commissioner or Treasurer the cost of the unfinished work or unsettled claims for lands taken or injuriously affected by the opening, widening, extending and grading, altering the grade of, diverting or improving a street, will not exceed in amount 25 per cent. of the total estimated cost of the work, the *Engineer* and Assessment Commissioner or Treasurer may estimate the cost of such unfinished work, and the amount of all such claims, and the amount may be included in the actual cost to be ascertained and certified under the next preceding section, and shall be deemed to be the correct amount thereof subject to any order made with reference thereto by the Court of Revision.

Estimate of  
cost of un-  
finished  
work and  
unsettled  
claims.

(2) If the cost of the unfinished work and the unsettled claims referred to in subsection 1 be ascertained to exceed the amount so estimated by the *Engineer* and Assessment Commissioner or Treasurer the excess over the estimated amount shall be borne by the Corporation.

Excess over  
estimate to  
be borne by  
Corporation.

(3) If the estimated cost of the work is less than the actual cost the by-law imposing the special rates to meet such cost may be amended accordingly and an allowance shall be made with respect to any special rates theretofore levied or paid.

No. 160.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Local Improvement Act.

1st Reading,	23rd March, 1923.
2nd Reading,	6th April, 1923.
3rd Reading,	1923.

*(Reprinted as amended by the  
Municipal Committee.)*

MR. THOMPSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Judicature Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Judicature Amendment Act, 1923.* Short title.

**2.** *The Judicature Act* is amended by adding thereto the following section:— Rev. Stat. c. 56, amended.

**71a.** Where judgment is obtained by the plaintiff against the defendant in an action brought to recover damages for bodily injuries, or injuries to property, caused by the defendant's automobile, and such defendant is insured under any automobile insurance policy against loss by the payment of such damages, the plaintiff shall be entitled to recover from the insurer the amount of his judgment and costs to the extent of the liability of the insurer to the defendant under such policy. Defendant's automobile insurance,—right of plaintiff to recover.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act

No. 161.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Judicature Act.

1st Reading,	23rd March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. LENNOX.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

An Act to empower the incorporated Synod of  
the Diocese of Toronto to mortgage  
certain Rectory Lands in the  
Town of Oshawa.

**W**HEREAS the Vestry of St. George's Church, Oshawa, Preamble  
has by petition represented that by deed dated the  
ninth day of November, 1861, John Crawford and George  
William Allan conveyed unto the Church Society of the  
Diocese of Toronto the lands set out in schedule "A" hereto,  
to hold the same forever for the endowment of the parsonage  
of the incumbency of Oshawa, to the intent and upon trust  
that the rents, issues and profits of the said land and premises  
should be, from time to time, appropriated and applied under  
the direction of the said Church Society to the support of the  
incumbent of the said parsonage for the time being; and  
that by a deed dated the twenty-sixth day of August, 1920,  
one Frederick William Cowan conveyed to the incorporated  
Synod of the Diocese of Toronto, successors of the said  
Church Society, the lands set out in schedule "B" hereto  
upon the same trusts in substitution for the said firstly  
described lands, upon condition that the said incorporated  
Synod of the Diocese of Toronto, and the Vestry of St.  
George's Church, Oshawa, would consent to removing the  
rectory from said firstly described lands and using the said  
firstly described lands as a site for a new church; and that  
the said Vestry and the said Synod did, pursuant to sections  
3 and 4 of 52 Victoria, chapter 97, consent to the said con-  
ditions; and whereas the said church is now being con-  
structed, and it is desired to mortgage the said firstly and  
secondly described parcels of land together with other lands,  
for the purpose of raising money to be used in the building  
of the said church; and whereas the Vestry of St. George's  
Church, Oshawa, aforesaid, has by its petition prayed for  
the passing of an Act empowering the said Synod to mortgage  
the said lands for the said purposes; and whereas it is expedi-  
ent to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

Short title. **1.** This Act may be cited as *The St. George's Church, Oshawa, Act, 1923.*

Power to Mortgage

**2.** The incorporated Synod of the Diocese of Toronto is hereby authorized and empowered to mortgage the said lands in schedules "A" and "B" hereto set out for the purpose of securing a loan of monies to be used in the erection of a church in communion with the Church of England in Canada, and any deed executed by the said Synod purporting to be a mortgage of the said lands shall be of the same force and effect as if the said Synod were seised of the said lands in fee simple discharged of the said trusts and no mortgagee shall be liable for the application of any money raised on such mortgage.

Saving as to trusts.

**3.** Except as provided by this Act the said lands in schedule "B" hereto set out shall remain subject to the said trusts.

Commencement of Act.

**4.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



## SCHEDULE "A."

All and singular those certain parcels or tracts of land and premises situate lying and being in the Town of Oshawa, in the County of Ontario, and being composed of lots numbers nine (9) and ten (10) in block letter "D" as marked on a plan of lots laid out on part of lot number eleven (11) in the first concession in the said town by John McGregor.

## SCHEDULE "B."

All and singular those certain parcels or tracts of land and premises situate lying and being in the Town of Oshawa, in the County of Ontario, and being composed of parts of lots numbers two (2) and eleven (11) in block letter "D" as marked on a plan of lots laid out on part of lot number eleven (11) in the first concession in said town by John McGregor, and being more particularly described as follows: COMMENCING at a point in the northerly limit of said lot number two (2) distant sixty-four feet from the south-east corner of Athol and Centre Streets, thence southerly parallel to the easterly limit of Centre Street, one hundred and sixty-five feet, thence easterly parallel to the southerly limit of Athol Street, sixty-four feet, thence northerly parallel to the easterly limit of Centre Street, one hundred and sixty-five feet more or less to the northerly limit of said lot number two, thence westerly along the said northerly limit of said lot number two, sixty-four feet more or less to the place of beginning.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to empower the incorporated  
Synod of the Diocese of Toronto to  
mortgage certain Rectory  
Lands in the Town of  
Oshawa.

1st Reading,	27th February, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. SINCLAIR.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Coroners Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Coroners Amendment Act*, Short title 1923.

**2.** Subsection 4 of section 4 of *The Coroners Act* is repealed and the following substituted therefor:—

Reg. Stat.  
c. 92, s. 4,  
subs. 4, re-  
pealed.

- (4) Each of the said chief coroners shall be paid in lieu of all fees by the corporation of the city half-yearly such salary as may be fixed by the Lieutenant-Governor in Council and the corporation of the City of Toronto and the corporation of the City of Hamilton shall be respectively re-imbursed out of the Consolidated Revenue Fund to the extent of one-half such respective salaries.

Salary of  
Chief  
Coroner

Toronto  
Hamilton

**3.** *The Coroners Act* is amended by adding thereto the following section:—

Reg. Stat.  
c. 92,  
amended.

- 22a. It shall not be necessary for a jury to view the body upon which an inquest is being held when the coroner, with the consent in writing of the crown attorney, directs that the viewing of the body shall be dispensed with.

**4.** This Act shall come into force on the 1st day of July, 1923.

Commence-  
ment of Act.

No. 163.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Coroners Act.

1st Reading,	26th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

Mr. RANNEY.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to encourage the Consolidation of Cheese Factories.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Consolidated Cheese Factories Act, 1923.* Short title.

**2.** In this Act "Minister" shall mean Minister of Agriculture. Minister,— meaning of.

**3.** Loans may be granted by the Minister, with the approval of the Lieutenant-Governor in Council, out of any moneys appropriated for the purpose by the Legislature from time to time towards the erection of consolidated cheese factories under and subject to the provisions and conditions herein set forth. Loans for building purposes.

**4.—(1)** Every such loan shall be secured by a first mortgage on the lands upon which the factory is erected and in respect of which the loan is made. Security required for loans.

**(2)** The loan shall bear interest at the rate of five per cent. per annum. Interest.

**(3)** No loan shall be made of an amount in excess of eighty per cent. of the value of the lands and buildings in respect of which the loan is made. Limit of loan.

**5.—(1)** The application for a loan may be made by milk producers in any part of the Province of Ontario who desire to erect a modern dairy plant to take the place of two or more smaller ones and who have agreed to supply annually three million pounds of milk to the said dairy. Application for loan for modern dairy plant.

**(2)** The applicants shall form a co-operative company and shall subscribe for stock to an amount sufficient, in the opinion of the Minister, to finance the enterprise. Applicants to form co-operative company.

Terms of  
loan,

(3) Twenty per cent. of the par value of such stock shall be paid at the time of subscription and the balance deducted from the value of the milk delivered at the factory at a rate not less than three per cent. nor more than five per cent., until the stock is fully paid up.

Moneys,—  
when to be  
paid over to  
Minister.

(4) All moneys received on account of stock in such company shall be deposited in the trust fund and shall at the end of each three months period be paid over to the Minister to be applied for the repayment of the moneys advanced.

Limit of five  
shares to  
each person.

(5) A shareholder in the company shall not hold more than five shares nor have more than one vote, and all shares in the company shall be transferable subject to the approval of the directors.

Site, plan  
and equip-  
ment subject  
to approval  
of Minister.

6. The site, plan and equipment of every factory in respect of which a loan is advanced under this Act, shall be subject to the approval of the Minister, but the company shall have the management of the factory, provided that the Minister shall have the right to name one director until such time as the loan is fully paid.

Regulations.

7. The Lieutenant-Governor in Council may make regulations for the better carrying out of the provisions of this Act.

Commence-  
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.



No. 164.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to encourage the Consolidation  
of Cheese Factories.

1st Reading,	27th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DOHERTY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act respecting the Town of Port Colborne.

**W**HEREAS the municipal corporation of the Town of Preamble.  
 Port Colborne has by its petition represented that the council of the Village of Port Colborne on the 8th day of April, 1912, passed by-law number 3, set out in schedule "A" hereto fixing the annual assessment of the lands, premises and property of Canadian Furnace Company, Limited, as in said by-law set out, for all municipal purposes including business tax, except school taxes and rates, at the sum of fifty thousand dollars a year for a period of twenty years; and whereas the said by-law was duly submitted to the electors qualified to vote on money by-laws for their approval on the 25th day of March, 1912, at which time a majority of the said electors voted in favour thereof, and the said by-law was finally passed on the 8th day of April, 1912; and whereas the said Village of Port Colborne has since been converted into a town and it is desired by the municipal council of the said Town of Port Colborne and by Canadian Furnace Company, Limited, that the said by-law should be confirmed and validated for the said full period of twenty years; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Town of Port Colborne* Short title  
*Act, 1923.*

**2.** By-law number 3 of the municipal corporation of the By-law No. 3, Village of Port Colborne, confirmed.  
 Village of Port Colborne set out in schedule "A" to this Act is hereby confirmed and validated and it is declared that the said by-law has been and will be in full force, virtue and effect from the 8th day of April, 1912, for, during and until the full end and term of twenty years.

**3.** This Act shall come into force on the day upon which Commencement of Act  
 it receives the Royal Assent.

## SCHEDULE "A."

BY-LAW No. 3, APRIL 8, A.D. 1912

A by-law fixing the assessment of the property hereinafter described to be occupied by Canadian Furnace Company, Limited, in the Village of Port Colborne, in the County of Welland, for a period of twenty years.

Whereas the Canadian Furnace Company, Limited, has certified its intention to start the manufacture of iron or steel in various forms or other iron products made from pig iron in the Province of Ontario, and that if the assessment on the plant, equipment and lands, hereinafter described, is fixed by by-law at Fifty Thousand Dollars for a period of twenty years the said Canadian Furnace Company, Limited, will erect a plant or plants for manufacturing purposes as aforesaid on said land.

And whereas the said Company will employ a large number of hands and pay out a large sum of money yearly in wages, and the effect of this will be to materially increase the population of the Village of Port Colborne, enhance the value of real estate, and produce a greater revenue for the said village, and the circulation of a large sum of money yearly in said village.

Therefore the Municipal Corporation of the Village of Port Colborne enacts as follows:—

1. That the following lands and premises, viz:—All and singular those certain parcels or tracts of land and premises situate, lying and being in the Village of Port Colborne, in the County of Welland, and Province of Ontario, which may be more particularly described as follows:—

*First:* Commencing at the south-west corner of Welland and Fort Erie Streets; thence southerly to the present waters of Lake Erie; thence westerly along the shore line of Lake Erie to the Welland Canal; thence northerly to Fort Erie Street; thence easterly to the place of beginning.

*Second:* Also a tract of land now covered by water more particularly described as follows: Commencing at the south end of the present concrete dock at a point near to the Lighthouse on the east side of the Welland Canal; thence southerly along the extension line of said dock 2,200 feet; thence easterly 1,200 feet; thence northerly on a line parallel to the extension line of said dock before mentioned to the present shore line of Lake Erie; thence north-westerly along said shore line to the point of beginning being all that land now covered by water described in the lease from the Department of Railways and Canals of the Dominion of Canada to The Buffalo Union Furnace Company, Limited.

*Third:* Also all the land or premises which are bounded on the north by Alexander Street as laid down on the Government map, on the east by Welland Street, on the south by Fort Erie Street and on the west by the west line of Queen Street as laid down on said Government map.

*Fourth:* Also lots numbered twenty and twenty-one on the north side of Fort Erie Street in the Village of Port Colborne, in the County of Welland according to a registered plan of a part of said Village being the land owned by one George Christmas.

And all building and erections that may be erected or made thereon for or in connection with the manufacturing of iron or steel by the said Company and the plant, appliances, machinery, tools and other personal property of the said Company which may possibly become liable to taxation hereafter by law and shall be annually assessed for the next twenty years from and after the year 1912 at the sum of Fifty Thousand Dollars for all municipal purposes (including business tax) except school taxes and rates, but this exemption shall not include any part of said land that may during the twenty years be used for residential purposes only.

2. That this by-law shall take effect from and after the passing thereof.

3. That the votes of the electors of the said village shall be taken on this by-law at the following times and places that is to say; on Monday, the 25th day of March next commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day by the following deputy-returning officers and at the following places:--

Polling sub-division No. 1,—at the Town Hall on Charlotte Street, Charles Holmes, D.R.O.

Polling sub-division No. 2,—at Shickluna's Bicycle Shop, on East Street, J. E. Neff, D.R.O.

4. That on Saturday, the 23rd day of March, the Reeve of the said Village of Port Colborne shall attend at the Town Hall on Charlotte Street in said village at eleven o'clock in the forenoon to appoint persons to attend at the various polling places aforesaid and at the final summing up of the votes by the Clerk on behalf of the persons interested in and promoting or opposing the passing of this by-law respectively.

5. That the Clerk of the Council of the said Village of Port Colborne shall attend at his office in the Town Hall at twelve o'clock in the forenoon on Tuesday the 26th day of March, 1912, to sum up the number of votes for and against this by-law.

Read and passed a first and second time in council this 27th day of February, A.D. 1912.

Take notice that the foregoing is a true copy of a proposed by-law which has been taken into consideration and which will be finally passed by the Council of the Village of Port Colborne (in the event of the assent of the electors being obtained thereto) after one month from the first publication of this by-law in the "Port Colborne Times" newspaper. The date of such publication being the 29th day of February, 1912, and that the votes of the electors of the said municipality will be taken thereon at the respective places mentioned in the said by-law on Wednesday, the 27th day of March, 1912, between the hours of 9 o'clock in the forenoon and five o'clock in the afternoon.

Dated at the Village of Port Colborne in the County of Welland this 27th day of February, A.D. 1912.

FRANK D. NOBLE,  
*Clerk.*

Read a third time and finally passed at a meeting of the council held this eighth day of April, A.D. 1912.

JOHN COOK,  
*Reeve.*

FRANK D. NOBLE,  
*Clerk.*

SEAL.]

No. 165.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of Port  
Colborne.

1st Reading,	28th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*).

MR. COOPER  
(Welland).

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Community Halls Act, 1920.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Community Halls Amendment Act, 1923*. Short title.

**2.** Section 7 of *The Community Halls Act, 1920* is amended by adding thereto the following subsection:— 1920, c. 72, s. 7, amended

(4) Where a township council has passed a by-law for establishing a community hall or a community hall and athletic field for a school section or for school sections, the township council may by by-law, upon request of the Board of School Trustees, vest the property in the said Board, and the said Board shall thereupon have power to hold such property and shall perform the functions of the Board of Management as set forth in section 8 of this Act. Property may be vested in Board of School Trustees.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Community Halls  
Act, 1920.

1st Reading,	28th March, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. WALKER.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Port Arthur.

**W**HEREAS the municipal corporations of the City of <sup>Preamble</sup> Port Arthur and of the municipality of Shuniah, have by their petition represented that the City of Port Arthur is now the owner of certain lands and water lots, described as follows:—

Those portions of mining locations 2, 3 and 4 Herricks survey, formerly in McGregor Township, but now in the City of Port Arthur, and the water lots in front thereof, described as follows:—commencing at the north-east corner of said mining location 2, thence west, along the north boundary thereof, to the south-easterly limit of the right-of-way of the Canadian Pacific Railway, thence south-westerly, and along the said limit of right-of-way, to the west boundary of said mining location 3; thence south, following said west boundary, to the north limit of Lillian Street; thence east, along said north limit of Lillian Street, to the water's edge of Thunder Bay; thence southerly, along said water's edge, to the south limit of said Lillian Street; thence south-easterly, and parallel with the City of Port Arthur's waterworks intake pipe and 5,440 feet south thereof, to the easterly boundary of the water lot in front of said mining locations 2, 3 and 4; thence north and north-easterly, following said easterly boundary of said water lot, to the east boundary produced of said mining location 2; thence north, along said east boundary produced, and along the east boundary of said mining location 2, to the place of commencement; which lands and water lots were acquired by, and annexed to, the said City of Port Arthur under and by virtue of Cap. 91 of 6 Edward VII (Ontario) entitled "An Act respecting the Town of Port Arthur"; and that the said City of Port Arthur is desirous of detaching the said lands and water lots from its limits, and annexing the same to the municipality of Shuniah, so that the same shall hereafter form part of the said municipality of Shuniah; and whereas the corporation of the said municipality of Shuniah is willing that the said lands and water lots should be annexed to and form part of the said

municipality; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Annexation  
of certain  
land to  
Shuniah.

**1.** The said land and water lots are hereby detached from the said City of Port Arthur and annexed to the municipality of Shuniah, and shall hereafter form a part of the said municipality of Shuniah.

Ownership  
to remain  
in City of  
Port Arthur.

**2.** The City of Port Arthur shall continue to be the owner of the said lands and water lots until such time as it sells or otherwise disposes of the same, and until such sale or other disposition thereof the said lands and water lots, and all buildings and erections thereon belonging to said city, shall be exempt from all taxation by the municipality of Shuniah; provided however that such exemption shall cease on any part of said lands and water lots so sold or disposed of immediately upon such sale or other disposition taking place.

Assent of  
electors to  
sale of  
land.

**3.** Notwithstanding the annexation of said lands and water lots to the municipality of Shuniah, the provisions of Cap. 91 of 6 Edward VII (Ontario) as to any sale or other disposition thereof by the City of Port Arthur, shall continue to apply.

Application  
of proceeds  
of sale.

**4.** All moneys realized by the City of Port Arthur from the sale or other disposition of the said lands and water lots shall be paid by the said city forthwith into its general sinking fund and shall not be used for any other purpose.





No. 167.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of Port Arthur.

1st Reading,	3rd April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*)

MR. HOGARTH.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL



An Act respecting the City of Port Arthur.

**W**HEREAS the municipal corporations of the City of <sup>Preamble</sup> Port Arthur and of the municipality of Shuniah, have by their petition represented that the City of Port Arthur is now the owner of certain lands and water lots, described as follows:—

Those portions of mining locations 2, 3 and 4 Herricks survey, formerly in McGregor Township, but now in the City of Port Arthur, and the water lots in front thereof, described as follows:—commencing at the north-east corner of said mining location 2, thence west, along the north boundary thereof, to the south-easterly limit of the right-of-way of the Canadian Pacific Railway, thence south-westerly, and along the said limit of right-of-way, to the west boundary of said mining location 3; thence south, following said west boundary, to the north limit of Lillian Street; thence east, along said north limit of Lillian Street, to the water's edge of Thunder Bay; thence southerly, along said water's edge, to the south limit of said Lillian Street; thence south-easterly, and parallel with the City of Port Arthur's waterworks intake pipe and 5,440 feet south thereof, to the easterly boundary of the water lot in front of said mining locations 2, 3 and 4; thence north and north-easterly, following said easterly boundary of said water lot, to the east boundary produced of said mining location 2; thence north, along said east boundary produced, and along the east boundary of said mining location 2, to the place of commencement; which lands and water lots were acquired by, and annexed to, the said City of Port Arthur under and by virtue of Cap. 91 of 6 Edward VII (Ontario) entitled "An Act respecting the Town of Port Arthur"; and that the said City of Port Arthur is desirous of detaching the said lands and water lots from its limits, and annexing the same to the municipality of Shuniah, so that the same shall hereafter form part of the said municipality of Shuniah; and whereas the corporation of the said municipality of Shuniah is willing that the said lands and water lots should be annexed to and form part of the said

municipality; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—


Short title.  **1.** This Act may be cited as *The Port Arthur and Shuniah Act, 1923.* 

Annexation of certain land to Shuniah. **2.** Subject to the provisions of section 6 the said land and water lots are hereby detached from the said City of Port Arthur and annexed to the municipality of Shuniah, and shall hereafter form a part of the said municipality of Shuniah.


Ownership to remain in City of Port Arthur. **3.** The City of Port Arthur shall continue to be the owner of the said lands and water lots until such time as it sells or otherwise disposes of the same, and until such sale or other disposition thereof the said lands and water lots, and all buildings and erections thereon belonging to said city, shall be exempt from all taxation by the municipality of Shuniah; provided however that such exemption shall cease on any part of said lands and water lots so sold or disposed of immediately upon such sale or other disposition taking place.

Assent of electors to sale of land. **4.** Notwithstanding the annexation of said lands and water lots to the municipality of Shuniah, the provisions of Cap. 91 of 6 Edward VII (Ontario) as to any sale or other disposition thereof by the City of Port Arthur, shall continue to apply.

Application of proceeds of sale. **5.** All moneys realized by the City of Port Arthur from the sale or other disposition of the said lands and water lots shall be paid by the said city forthwith into its general sinking fund and shall not be used for any other purpose.

Submission of question.  **6.** The detachment and annexation of the said lands and water lots shall not come into force or take effect unless and until a majority of those voting of the electors of the City of Port Arthur qualified to vote on money by-laws have voted in the affirmative in answer to the question:

“Are you in favour of the annexation of certain lands in Port Arthur to the municipality of Shuniah as provided in *The Port Arthur and Shuniah Act, 1923?*”

Commencement of Act. **7.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. 



No. 167.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of Port Arthur.

1st Reading,	3rd April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private Bills  
Committee).*

MR. HOGARTH.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Town of Tillsonburg.

**W**HEREAS the Corporation of the Town of Tillsonburg Preamble.  
has, by its petition, represented that the by-law herein-  
after referred to as number 833 of the Corporation of the Town  
of Tillsonburg has been submitted to the electors of the cor-  
poration for their assent in accordance with the provisions of  
*The Consolidated Municipal Act, 1922*; and whereas of the  
electors who voted on the said by-laws more than two-thirds  
voted in favour thereof; and whereas the said by-law was  
subsequently finally passed by the affirmative vote of three-  
fourths of all the members of the council of the said corpora-  
tion; and whereas it is desirable that the said by-law should  
be validated and confirmed; and whereas it is expedient to  
grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:—

**1.** This Act may be cited as the *Town of Tillsonburg Act*, Short title.  
1923.

**2.** By-law number 833 of the corporation of the Town of By-law No. 833, Tillsonburg, and agree- ment with Norfolk Shoe Co., Ltd., confirmed.  
Tillsonburg and the agreement therein referred to, both of  
which are set forth in full in schedule 1 hereto, are hereby  
ratified and confirmed and declared to be legal, valid and  
binding upon the said corporation and the ratepayers thereof,  
and upon the Norfolk Shoe Company, Limited, its successors  
and assigns; and all debentures hereafter issued; and the  
guarantee of bonds to be hereinafter entered into by the said  
corporation in accordance with the terms of the said by-law  
and agreement; and all assessments to be made and all rates  
to be levied for the payment thereof are hereby validated  
and confirmed, and the said corporation is declared to have  
full power to pass, enter into, issue and levy the same.

**3.** This Act shall come into force and take effect on the Commence- ment of Act.  
day upon which it receives the Royal Assent.

## SCHEDULE 1

By-law number 833 of the Municipal Corporation of the Town of Tillsonburg.

A by-law to grant exemption from taxes, except school and local improvement taxes, to the Norfolk Shoe Company, Limited, to guarantee the bonds of the said Norfolk Shoe Company, Limited, for \$40,000, and to pay \$2,500 for a site for the said factory.

Whereas the Norfolk Shoe Company, Limited, has entered into an agreement with the Municipal Corporation of the Town of Tillsonburg, by agreement dated the 20th day of February, A.D. 1923, to establish their business in the Town of Tillsonburg, purchase a site therefor, and erect thereon a modern factory fully equipped for the manufacture of shoes, upon and subject to the terms set forth in said articles of agreement; and whereas, the said corporation have agreed to pay \$2,500 towards the purchase price of the northerly part of Lot number twenty-nine, on the east side of Broadway Street in the said Town of Tillsonburg for said factory; and whereas it is necessary to issue debentures of the said Town of Tillsonburg for the said sum of \$2,500 with interest at five and a half per cent. per annum as hereinafter provided; and whereas it is advisable to issue the said debentures at one time and to make the principal of the said debentures repayable in yearly sums during a period of ten years from the date of issue, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest shall be as nearly as possible equal to the amount so payable in each of the other nine years of said period; and whereas one of the terms of the said agreement is that the Municipal Corporation of the Town of Tillsonburg will unconditionally guarantee the principal and interest of the first mortgage bonds of the said Norfolk Shoe Company, Limited, to the amount of \$40,000 with interest at the rate of six per cent. per annum, to be re-payable by the said Norfolk Shoe Company, Limited, as set forth in said articles of agreement, and as hereinafter set forth; and whereas a further term of the said agreement is that the Municipal Corporation of the Town of Tillsonburg will exempt from assessment for taxes, for all purposes except school and local improvement taxes, the said site and all buildings, plant and machinery to be erected thereon, for a period of ten years from the final passing of this by-law; and whereas the amount of the whole rateable property of the said Town of Tillsonburg according to the last revised assessment roll thereof is \$1,911,985; and whereas the amount of the existing debenture debt of the said municipality is \$206,215, and no principal or interest thereof is in arrears; and whereas the total amount required by *The Municipal Act* to be raised annually by special rate for the re-payment of the said debt and interest as hereinafter provided is the sum of \$331.68.

Now therefore the Municipal Corporation of the Town of Tillsonburg enacts as follows:—

1. That the said agreement dated the 20th day of February, A.D. 1923, between the Norfolk Shoe Company, Limited, and the Municipal Corporation of the Town of Tillsonburg and all its terms and conditions are hereby ratified, authorized and confirmed.

2. The Municipal Corporation of the Town of Tillsonburg are hereby authorized and empowered to pay to the said Norfolk Shoe Company, Limited, the sum of \$2,500 on account of the purchase price of Lot twenty-nine on the east side of Broadway Street in the Town of Tillsonburg, except the southerly forty-five feet thereof, the same to be paid when a first mortgage upon the said premises has been duly executed as hereinafter set forth.

3. That for the purpose of raising the said sum of \$2,500 required to be paid on account of the purchase of the said site, debentures of the Municipal Corporation of the Town of Tillsonburg shall be issued in sums of not less than \$100 each, which said debentures may have coupons attached



thereto for the payment of interest, and there shall be paid, out of the proceeds of the said debentures, the sum of \$2,500 towards the purchase price of the said site.

4. The said debentures shall bear interest at the rate of five and a half per cent. per annum, payable annually, and as to both principal and interest shall be payable at the office of the treasurer of this municipality in the Town of Tillsonburg, and shall be dated on the day of the issue thereof.

5. The Mayor of the said municipality shall sign the said debentures, and cause the same to be signed by the Treasurer of the said municipality, and the Clerk of the said municipality is hereby authorized and instructed to affix the corporate seal of the said municipality to the said debentures.

6. The said debentures shall be payable in the ten years next after the date of the issue of the same, and the respective amounts of principal and interest payable during each of the said years shall be as follows:—

Year	Principal	Interest
First.....	\$194 17	\$137 51
Second.....	204 85	126 83
Third.....	216 61	115 07
Fourth.....	228 00	103 68
Fifth.....	240 54	91 14
Sixth.....	253 77	77 91
Seventh.....	267 72	63 96
Eighth.....	282 45	49 23
Ninth.....	297 99	33 69
Tenth.....	314 38	17 30

7. That for the purpose of paying the said instalment of principal and interest as the same becomes due respectively during ten years, the currency thereof, the sum of \$331.68 shall be raised annually on all rateable property in the said Town of Tillsonburg at the same time and in the same manner as all other rates.

8. That the said Municipal Corporation of the Town of Tillsonburg are hereby authorized and empowered to unconditionally guarantee both the principal and interest of the bonds of the Norfolk Shoe Company, Limited, to the amount of \$40,000, the said bonds to be issued by the said company and to be secured by a first real estate mortgage upon the lands and the factory, plant and premises of the said Norfolk Shoe Company, Limited, in the Town of Tillsonburg, as hereinbefore described. The said bonds shall bear interest at six per cent. per annum, payable annually, and the principal of said bonds shall be re-payable as follows: \$4,000 of said principal to be payable at the expiration of six years from the date of issue of the said bonds, and \$4,000 at the expiration of each and every year thereafter until the said \$40,000 issue of bonds has been fully paid and satisfied. Insurance to be carried by the said company on the said factory plant and premises, payable to the said corporation, to the amount from time to time remaining unpaid on the said bonds. The said insurance to be payable to the said Municipal Corporation of the Town of Tillsonburg or to a trustee appointed by them for the bondholders. The Municipal Corporation of the Town of Tillsonburg, or a trustee satisfactory to the corporation shall act as trustee for the bondholders in the taking and holding of the said mortgage, and the mortgage shall be upon the usual form for securing bond holders and shall be satisfactory to the Municipal Corporation of the Town of Tillsonburg, or their solicitor, and the Mayor and Clerk of the said Town of Tillsonburg are hereby authorized and empowered to sign the guarantee of the said bonds in the name of the said corporation and to affix thereto the corporate seal, when the said premises hereinbefore described have been duly purchased and conveyed to the said Norfolk Shoe Company, Limited, the factory and plant, in accordance with the said agreement of the 20th of February, A.D. 1923, has been duly erected and the machinery installed therein ready for operation and a first mortgage duly executed upon the same in favor of the said corporation, or trustee appointed by them, and proof that there

9. It is further enacted that the said premises, factory, machinery and plant shall be exempt from all taxes, except school and local improvement taxes, for a period of ten years from the final passing of this by-law.

Read a third time and passed this third day of April, 1923.

A. S. RENNIE,  
Mayor.  
[SEAL]

This agreement made this twentieth day of February, A.D. 1923.

Between:     The Norfolk Shoe Company, Limited,  
of the First Part;  
and  
The Municipal Corporation of the Town of Tillsonburg,  
of the Second Part.

Whereas the said party of the first part has heretofore been carrying on the business of manufacture of shoes at the Town of Simcoe, and has by resolution of its shareholders decided to remove its factory from the Town of Simcoe to some other point.

And whereas the said party of the first part has agreed to locate its business and to erect a factory in the Town of Tillsonburg, and to carry on business in the Town of Tillsonburg for a period of fifteen years after the carrying of the by-law hereinafter referred to, upon and subject to the conditions hereinafter set forth.

Now this agreement witnesseth in consideration of the mutual covenants and agreements hereinafter contained, the said parties hereto mutually covenant and agree to and with each other in manner following, that is to say:—

1. The said party of the first part agrees to purchase all of Lot number twenty-nine on the east side of Broadway Street in the Town of Tillsonburg, save and except the southerly forty-five feet thereof, as a site, and to erect thereon within six months after the final passing of the by-law hereinafter referred to, an up-to-date shoe factory, of modern factory construction of cement and brick, of dimensions of about 100 feet by 40 feet, of three storeys, having a floor space of about 13,000 square feet, capable of producing at least one thousand pairs of shoes per day, and to equip the same with the usual machinery required for the manufacture of shoes of the kind manufactured by the said party of the first part, such factory, plant and machinery to cost not less than \$60,000.

2. The party of the first part further agrees to employ in said plant within a period of six months after its completion, at least fifty employees, within twelve months of the completion thereof at least seventy-five, and within two years after its completion to employ not less than one hundred employees, and to pay out in wages in connection with the said factory for the first two years after its completion, not less than \$60,000 a year, and thereafter not less than \$100,000 per year.

3. The said party of the first part further agrees to carry on the said business for a period of fifteen years from the date of commencement of operation as continuously as the exigencies of trade permit.

4. The said party of the first part further agrees upon the completion of the said plant, to execute and deliver a first real estate mortgage upon

the said premises, factory, plant and machinery, in favour of the party of the second part or such other trustee as may be agreed upon between the parties hereto, to secure forty thousand dollars (\$40,000) of six per cent. bonds of the party of the first part, such bonds to bear interest at the rate of six per cent. per annum, payable annually, no principal to be re-payable for the first five years, and four thousand dollars (\$4,000) of principal of said bonds to be re-payable each year for the next ten years until the said bonds have been fully paid, such mortgage to be the usual mortgage for protection of bond holders, and to be in form satisfactory to the party of the second part and its solicitors.

5. The said party of the first part covenants and agrees to keep the said factory, plant and machinery insured in favour of the said party of the second part or such trustee for bond holders, to an amount at least equal the amount remaining due to its bond holders until the said bonds have been fully paid.

6. The said party of the first part further agrees that before requiring the issue of any of said bonds or the guarantee of the same by the corporation as hereinafter set forth, it will fully erect and have completed and ready for operation the said factory and plant in accordance with this agreement, and will satisfy the said party of the second part by proper evidence that there are no liens, charges or incumbrances of any kind against the said plant, and that the said first mortgage is a first charge and lien upon the said factory plant and premises of the said party of the first part.

7. The said party of the first part further covenants and agrees with the said party of the second part that it will pay all expenses of drawing, advertising, submission and passing of this by-law and of all documents and agreements to be drawn thereunder.

8. The said party of the second part hereby covenants and agrees with the said party of the first part in consideration of its said agreements, that it will pay to the said party of the first part the sum of twenty-five hundred dollars (\$2,500) towards the purchase price of the lands hereinbefore agreed to be purchased by the party of the first part as a site, (the balance of said purchase price to be paid by the party of the first part), the same to be paid as soon as the said site has been purchased and made subject to the mortgage hereinbefore set forth.

9. The said party of the second part further agrees that it will unconditionally guarantee as to both principal and interest, \$40,000 first mortgage six per cent. bonds of the said party of the first part, to be issued by the party of the first part and to be secured by a first real estate mortgage upon the lands, factory, plant and machinery of the said party of the first part as hereinbefore set forth, and to be secured as hereinbefore set forth on the usual form of mortgage for securing bonds of a company, in favour of the party of the second part or such trustee as may be appointed by it for the purpose of taking such mortgage.

10. The said party of the second part further covenants and agrees with the party of the first part that the lands hereinbefore set forth to be purchased as a site by the party of the first part, and all buildings, machinery and plant to be erected thereon, shall be exempt from all taxes except school taxes and local improvement taxes, for a period of ten years from the date of the final passing of the said by-law.

11. It is further agreed that this agreement shall not take effect or be binding on either of the parties hereto until a by-law confirming same has been duly submitted to the electors of the Town of Tillsonburg under the provisions of *The Consolidated Municipal Act* and duly approved of and ratified by such electors, as required by the said Act, and finally passed by the said party of the second part.

12. It is further agreed that the provisions of this agreement shall enure for the benefit of and be binding not only upon the parties hereto but their respective successors and assigns.

In witness whereof the said parties have hereunto set their hands and the seal of their respective officers authorized for said purpose, the day and year first above written.

Signed, Sealed and Delivered  
in the presence of:

ALFRED E. RAYNES,  
*Town Clerk.*

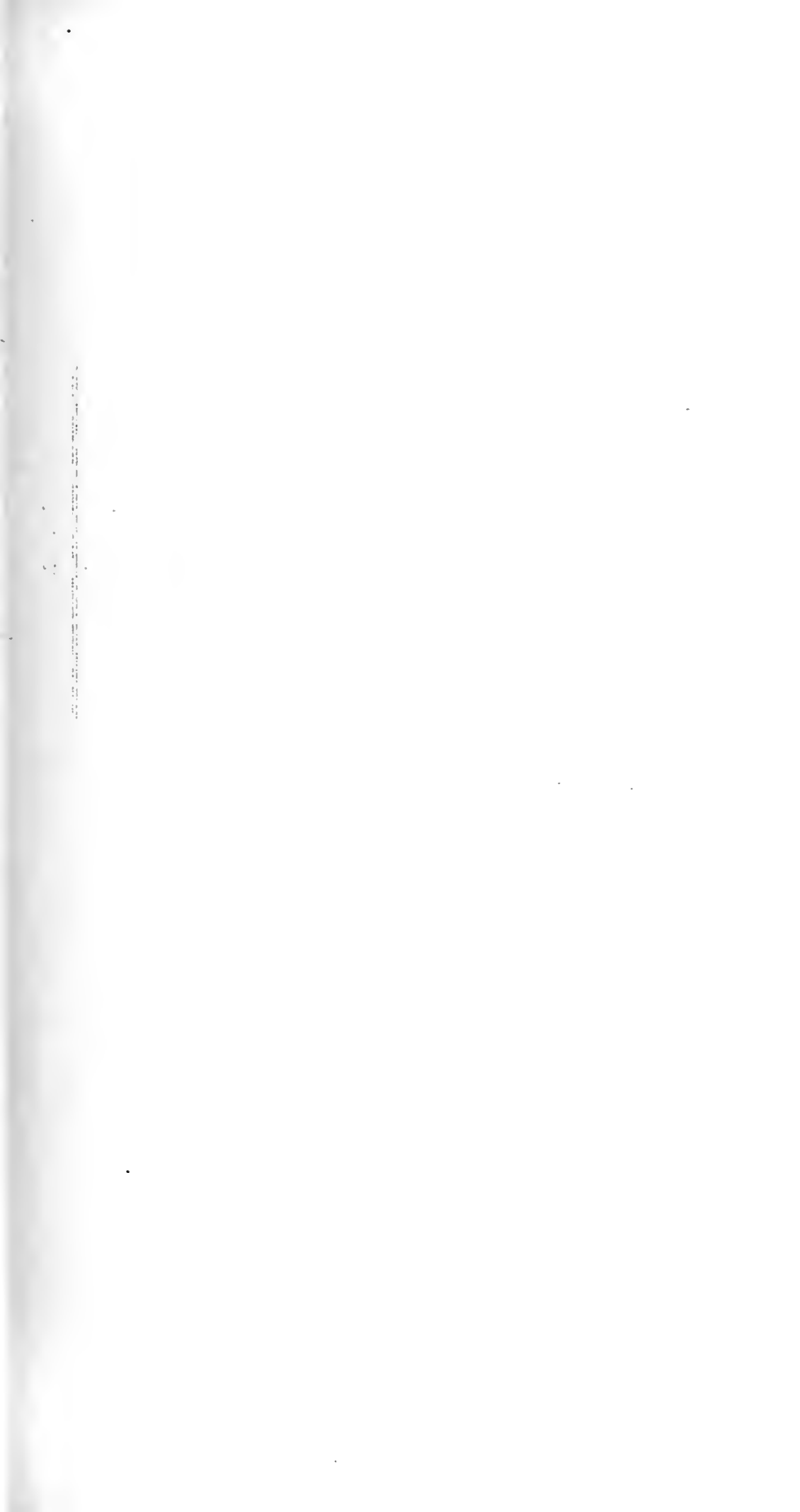
THE NORFOLK SHOE COMPANY, LIMITED,  
L. C. VANGEEL,  
*Vice-President and General  
Manager.*

[SEAL]

THE MUNICIPAL CORPORATION OF THE  
TOWN OF TILLSONBURG,

A. E. RENNIE,  
*Mayor.*

[SEAL]



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No. 168.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act respecting the Town of Tillsonburg.

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1st Reading,	5th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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(*Private Bill.*)

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MR. WALKER.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend the Law relating to Land Titles and the Registration of Instruments relating to Lands.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Land Titles and Registry Act, 1923.* Short title.

**2.** The provisions of this Act shall have effect notwithstanding any statute or any rule made under the authority of a statute or any rule of law, custom or usage, and wherever there is any conflict between the provisions of this Act and any such statute, rule, rule of law, custom or usage the provisions of this Act shall prevail. Act to have effect notwithstanding other provisions.

**3.—(1)** Part I of this Act shall apply and have effect in every registry division and as to every registry office and land titles office in Ontario. Application of Act generally.

**(2)** Part II of this Act shall apply and have effect only in the registry divisions of East Toronto and West Toronto and the registry division of the East and West Ridings of York, and as to the registry offices therefor, and as to the Land Titles Office at Toronto as respects lands situate in any of the said registry divisions. As to Toronto and East and West York.

## PART I

### OF GENERAL APPLICATION

**4.** Section 35 of *The Registry Act* is amended by adding thereto the following subsections: Rev. Stat. c. 124, s. 35, amended.

Affidavit or declaration as to condition of parties executing conveyance or mortgage.

(5) Where a husband and wife join in executing a conveyance or mortgage, it shall not be registered unless there be endorsed on or securely attached to it an affidavit or statutory declaration by the husband setting forth that the party executing as his wife is his wife and that he and his wife are each of the full age of twenty-one years, or as the case may be, and where a conveyance or mortgage is made by a man and no-one joins therein as his wife it shall not be registered unless there be made on or securely attached to it an affidavit or statutory declaration by such man that he is married, unmarried, a widower, or as the case may be and of the full age of twenty-one years.

Order of judge where affidavit or declaration cannot be obtained.

(6) Where an affidavit or statutory declaration required by subsection 5 cannot be obtained conveniently the judge of the county or district court on satisfactory evidence being adduced to him and filed in the office of the clerk of such court, may dispense with such affidavit or declaration, and thereupon shall endorse upon the instrument or firmly attach thereto a finding as to the facts and a direction to the registrar to register the instrument notwithstanding the absence of such affidavit or declaration, and the registrar shall thereupon register such instrument.

Affidavit or declaration in conveyance to be recorded.

(7) In the case of a conveyance the registrar shall copy the affidavit, declaration or judge's finding and direction in the register with the copy of such conveyance and the additional copying shall be computed and charged for as part of the deed.

Rev. Stat. c. 124, s. 62, amended.

5.—(1) Section 62 of *The Registry Act* is amended by adding after the word "instruments" in the fourth line the words "and having attached to it an affidavit by the mortgagee or assignee, or one of the mortgagees or assignees that he or they is or are the holder or holders of the mortgage and is or are entitled to receive the mortgage moneys."

Rev. Stat. c. 124, Form 10, amended.

(2) Form 10 of the said Act is amended by adding thereto the following form of affidavit:

Affidavit of person executing discharge of mortgage.

"I, . . . . . of . . . . . (here mention whether deponent is mortgagee or assignee or one of the mortgagees or assignees) make oath and say:

"That I am the person named in the above described mortgage (or assignment of mortgage, as the case may be according to the fact) and that I (or I and the said . . . . .) who have executed the said discharge am (or are) the holder (or holders) thereof, have not charged or encumbered the same, and am (or are) the person (or persons) entitled to receive the mortgage money.



"Sworn, etc."

(3) This section shall only apply to instruments purporting to be executed after this Act comes into force.

**6.**—(1) Section 56 of *The Registry Act* is amended by adding thereto the following subsection: Rev. Stat. c. 121, s. 56, amended.

- (5) No instrument purporting to convey or otherwise deal with land in any manner shall be registered if executed by any person or corporation as devisee, legatee, executor or administrator of a deceased person who at the time of his death appears from the register to have been in any wise possessed of or interested in the land in question, unless before the time of registration of such instrument the will or the letters probate of the will or the letters of administration under which the person executing such instrument claims to be entitled has or have been registered in the registry division in which the land in question is situate and the date of registration and registered number thereof have been inserted in the body of the deed or in its margin. Registration of probate or letters of administration before conveyance from devisee, etc.

**7.**—(1) The clause lettered *a* in section 2 of *The Vendors' and Purchasers' Act* is amended by striking out the word "twenty" in the third line, and inserting in lieu thereof the word "ten" so that the said clause will now read as follows: Rev. Stat. c. 122, s. 2, cl. a, amended.

- (a) Recitals, statements and descriptions of facts, matters and parties contained in statutes, deeds, instruments or statutory declarations ten years old at the date of the contract, unless and except insofar as they are proved to be inaccurate, shall be sufficient evidence of the truth of such facts, matters and descriptions. Recitals, etc., ten years old to be evidence.

**8.** Notwithstanding anything contained in *The Land Titles Act* or in the rules under *The Land Titles Act* letters probate or letters of administration, or a certified copy thereof, together with a sworn copy and an affidavit of the solicitor for the estate describing in a satisfactory manner the land affected by such letters and the interest of the deceased in each parcel registered in the office of land titles whether as owner, mortgagee, lessee or otherwise, shall be received by the Master of Titles or Local Master of Titles without any further documents or proof, and thereupon the Master or Local Master shall return the original letters probate or letters of administration and retain the copy and shall enter the name of the executor or administrator upon the register and Entry of personal representatives as owner under Rev. Stat. c. 126.

upon any certificate or certificates of title or certificate of ownership or charge as the personal representative of any person entered on the register as having any claim or interest in that parcel of land.

Advertising  
notice of  
application  
not  
necessary.

**9.** It shall not be necessary hereafter in any case to advertise notice of an application for first registration under *The Land Titles Act*.

Name and  
address of  
person draw-  
ing instru-  
ment to be  
endorsed  
thereon.

**10.** No instrument purporting to have been executed after the date when this Act comes into effect shall be registered thereafter in any registry office or in any land titles office unless endorsed with the name and address of the person who drew the same.

Right to  
registration  
of instru-  
ments in  
land titles  
office.

**11.** Notwithstanding anything contained in *The Land Titles Act* or the rules thereunder any person who appears from the register to have any interest in any parcel of land may register any document whatever affecting such interest, if such document is properly executed and execution is proved in the proper manner, and in such case the Master of Titles shall enter a short note of such document stating its purport and shall not refuse the same except upon the following grounds:

- (a) That such document contains an unsatisfactory description.
- (b) That such document is uncertain in effect and an impediment to the proper working of *The Land Titles Act* or this Act.

Appeal from  
Master of  
Titles.

**12.**—(1) Where any person has applied to have an instrument registered under *The Land Titles Act* and the Master of Titles has refused to register such instrument, or where any person is dissatisfied with a direction or ruling by the Master of Titles as to any matter arising under *The Land Titles Act* or this Act, an appeal shall lie to a Judge from any such refusal of registration, direction or ruling in the same manner as in the case of an appeal under section 140 of *The Land Titles Act*, and according to the practice of the Supreme Court, except that any such application may be made to a judge in chambers.

Application  
elsewhere  
than in York  
County.

(2) In the case of land situate elsewhere than in the City of Toronto or County of York the application thereunder may be made to the judge of the County or District Court.

Rev. Stat.  
c. 124, s. 67,  
amended.

**13.** Section 67 of *The Registry Act* is amended by adding a subsection as follows:

- (2) Every certificate purporting to be of the nature described in this section after it has been registered for ten years shall be deemed a discharge of the mortgage or of the lands mentioned in such certificate as the case may be and to be a valid and effectual release and conveyance as mentioned in this section notwithstanding any error or omission in its details or lack of conformity with this Act if the mortgage is so described in it as to be easily identified by the registrar, and if no certificate of any action or proceeding bringing the validity of such discharge into question has been registered.

Validation of discharges of mortgages after registration for ten years.

## PART II

APPLICABLE TO THE REGISTRY DIVISIONS OF TORONTO AND THE EAST AND WEST RIDINGS OF YORK, AND THE LAND TITLES OFFICE AT TORONTO IN RESPECT OF LANDS SITUATE IN THE SAID REGISTRY DIVISIONS.

**14.** In the case of lands in the Registry Divisions of East Toronto, West Toronto, and the East and West Ridings of the County of York laid out by plan registered before first January, 1890, if the instruments registered thereafter against any portion thereof shown as a lot, block or private road or private lane, are not inconsistent with the ownership thereof in fee simple in possession by the person who filed the plan at the time of filing it free from encumbrances except registered encumbrances such person shall be conclusively presumed to have been so seised in fee simple in possession of such lot, block or private road or lane subject only to any registered encumbrances or to any easements then existing.

Title of owner filing plan before 1st January, 1890.

**15.—(1)** After the commencement of this Act a vendor, mortgagor or lessor shall not be required to show title before first January, 1890, (and then only subject to the terms of the contract to sell or lease) in any case where the vendor, mortgagor or lessor is in actual or constructive possession under a chain of title from that date and the fee simple appears from examination of the instruments to have passed to each successive owner from that date under the instruments in such chain of title, and such vendor, mortgagor or lessor has not obtained a certificate of apparent ownership as provided for in section 19 hereof.

Vendor, etc., shall be required to show title only from 1st January, 1890.

(2) Where the vendor, proposed mortgagor or proposed lessor holds a certificate of apparent ownership the period during which such vendor, mortgagor or lessor may be required to show title shall be the ten years next preceding the date of the agreement or the proposed date of mortgage or lease.

Period for showing title where certificate of apparent ownership issued.

When  
vendor, etc.,  
to be  
deemed  
absolute  
owner.

(3) In the case of lands which were not laid out by plan registered before first January, 1890, if an instrument in the form of a conveyance in fee simple of such lands was registered before first January, 1880, and the instruments registered thereafter upon such lands are not inconsistent with ownership in fee simple in possession, free from encumbrances other than registered encumbrances, by the person who executed the conveyance first named, at the time of the registration thereof, such person shall be presumed conclusively to have been the owner in fee simple in possession of such lands at the time of registration of such conveyance subject only to any registered encumbrances and to any easements then existing and to have been seised thereof solely to his own use unless it appears from some instrument registered thereafter upon said lands that such person executed such conveyance in a representative or fiduciary capacity and if it so appears then such person shall be presumed conclusively to have been seised thereof in the capacity in which he so executed the conveyance.

Noting con-  
firmation of  
title.

**16.**—(1) Notwithstanding anything contained in *The Registry Act* and subject to the provisions of subsection 2, the Registrar or any Deputy Registrar in the case of any parcel of land laid out or subdivided by a plan registered before the first day of January, 1890, or in the case of any parcel of land forming part of an original park lot, township lot, town lot, town block, broken front lot, or water lot in the original survey whether laid out or not laid out by a plan registered before first January, 1890, after making proper and full examination and satisfying himself, that the title to such parcel of land, in each case, was vested on or before the first day of January, 1890, in any person or persons by any instrument registered before that date (other than a will) shall immediately below or following the entry in the abstract index of the instrument by which the title became vested in such person or persons, stamp or insert the words "See certificate in margin of register in which this instrument is copied" and in the margin of the said register opposite the copy of such instrument he shall stamp or insert the words "Title confirmed in . . . as of . . . (inserting the date of the instrument) . . . in accordance with . . . (mentioning this Act and section) . . . subject thereto and to the interests, if any, of others as set out in number . . . ." and shall date and sign same and thereafter it shall be presumed conclusively as between the parties to any agreement, conveyance, mortgage or lease that the title to the said lands as of the date prior to first January, 1890, mentioned in the said certificate was vested in the person or persons named in the said certificate subject to any then existing easements, registered encumbrances, municipal taxes, local improvement rates, sales for taxes or under execution, executions in the

hands of the proper sheriff, variations in title or description of lands shown by subsequent registered instruments, any question of conflicting boundaries, and the encumbrances, and interest or rights (if any) mentioned in the said certificate; unless it shall be shown affirmatively that after the date of the instrument under which such person acquired title, the title of such person to the said lands had become barred by adverse possession under any statute of limitations in force from time to time.

(2) The Registrar upon receiving a report from any Deputy Registrar who has examined the title of any lands that he has doubts as to the sufficiency of any instrument in the chain of title to effectually convey the lands or such interest therein as it purports to convey, shall examine the instrument in question and thereupon shall either mark the title confirmed as set forth above or if he deems it advisable to do so he may make application to a county judge for advice and opinion thereon, and the county judge shall pass upon the instrument or instruments in question and if in his opinion each instrument in question is sufficient to effectually convey the lands or such interest therein as it purports to convey the Registrar shall mark the title confirmed (if he finds it to be satisfactory otherwise), but if the judge finds any instrument insufficient to effectually convey the lands or such interest therein as it purports to convey the Registrar shall qualify any certificate accordingly and subject to the foregoing and to such qualifications the title to the said lands shall be marked confirmed as aforesaid.

Re-examination of title by registrar.

#### SURVEYS AND DESCRIPTION BRANCH

**17.**—(1) A Surveys and Description Branch (hereinafter called "The Surveys Branch") shall be established in the Land Titles Office in Toronto and shall be known as the Surveys Branch and shall be under the charge of an Ontario Land Surveyor of not less than ten years standing.

Establishment of surveys and description Surveys and Description Branch of Land Titles Office.

(2) Thereafter every transfer or charge of land, not being merely the whole of a parcel or parcels, shall be submitted to and the description shall be marked approved by or drawn by the Surveys Branch, which, if deemed desirable or if so requested, will also note the fees payable in the Land Titles Office upon completing the transaction.

Checking and approving descriptions.

(3) Upon the request of either party and upon delivery of a draft of the document required containing a description or sufficient particulars of the land in question to enable the drawing of a description, the Surveys Branch shall issue an appointment to settle the description returnable in not less than twenty-four hours from the time of its issue, unless by

Settlement of description in appointment.

consent an earlier time is fixed, and upon the return of such appointment the Surveys Branch shall settle the description and mark the same approved and in closing the transaction the description so settled shall be adhered to.

Proceeding  
in absence  
of parties.

(4) If either party after being duly served during the usual office hours on the previous day at latest with the appointment or notice thereof, does not attend on the appointment without reasonable cause for omission to do so assigned to the Branch before or at the time of the appointment, the Surveys Branch may settle the description after ten minutes have elapsed from the time mentioned in the appointment and may do so in the absence of any or all the parties and the description so settled shall be adhered to.

Branch  
ordering  
preparation  
of plan.

(5) Where more than two buildings have been erected on portions of the same lot or lots or parcel or parcels or such other circumstances exist that in the opinion of the Surveys Branch the descriptions of the several holdings or any easements connected therewith are or will be complicated or intricate the Surveys Branch shall have power to order the preparation of a plan in at least three parts to show the several holdings or easements in manner approved by the Surveys Branch, and the Surveys Branch may charge the cost of such plan against the owner or owners and any such plan may show by separate letter or number or in any manner approved by the Surveys Branch the lands over which any easements exist.

When  
consent of  
municipal-  
ity, etc., not  
required.

(6) Unless a street, road allowance or lane is opened or altered by such plan the consent of the municipality shall not be necessary to the filing of the same, nor shall it be necessary to obtain any other consent or approval in such case, and upon preparation of said plan the Surveys Branch shall have the right to re-cast any descriptions in the register and in any existing certificate or certificates in order to conform with the said plan, and in all future transactions the description shall be according to the plan so prepared and not according to any other plan or survey.

Preparation  
of plan in  
three parts.

(7) Upon completion of the plan in each such case one part thereof shall be furnished to the municipality in every case and two parts shall be retained by the Land Titles Office.

Ordering  
special  
survey.

(8) The Surveys Branch shall also have power to order a special survey by one or more of its staff being duly qualified Ontario Land Surveyors or an Ontario Land Surveyor employed for that purpose where a survey for a plan is found to be incorrect or the staking improper or the several lines of occupation (or boundaries of the property occupied) do not agree with the respective paper titles and may cause a new

plan to be made in accordance with such special survey and may assess the cost of survey and plan against, and collect them from, the respective owners fixing the payment to be made by each in such reasonable manner as the Surveys Branch may think fit and any amount so charged shall be payable forthwith as a debt due by the owner in each case and in default of payment may be sued for and collected as a debt in an action by the Master of Titles.

(9) The Surveys Branch shall have the power to frame <sup>Rules</sup> rules for the conduct of business in the Surveys Branch and such rules when signed by the Ontario Land Surveyor in charge shall come into effect and be binding upon all persons.

**18.**—(1) There being no official survey of the whole of the <sup>Examina-  
tion of plan  
by Surveys  
Branch.</sup> City of Toronto or of the municipalities to which this part applies and it being essential to secure consistency in the future between the records in the Registry Office and any new plans filed there in the future and the records in the Land Titles Office at Toronto no plan shall be registered in the Registry Office until the same has been examined by the Surveys Branch of the Land Titles Office at Toronto and has been approved by that Branch. Every such plan shall be prepared in at least four parts, two of which shall be left with the Registrar upon registration of the plan, one shall be retained by the said Surveys Branch and one forwarded to the clerk of the municipality in which the lands lie.

(2) It shall be the duty of the Surveys Branch upon receiving the plan to check the same and the survey upon which it is based and the manner in which the lots or blocks shown by the plan and all streets, roads or lanes are marked thereon, and on the ground and the boundaries laid out by any such plan and to cause a re-survey to be made and a fresh plan to be prepared if necessary owing to any error, omission, defect or question of conflicting boundaries of the lands laid out on such plan with the boundaries of any other plan. <sup>Duty of  
Surveys  
Branch.</sup>

(3) Notwithstanding anything contained in *The Registry Act* the Registrar and the Surveys Branch shall have power <sup>Rules as to  
examination  
of plans.</sup> from time to time to frame all rules necessary or convenient in working out this section or to supplement the provisions hereof in such manner as may be thought necessary or expedient for the efficient carrying on of the work and to vary or rescind any of such rules and frame fresh rules, if necessary, and such rules shall be signed by the Registrar and hung up for the information of the public in a conspicuous place near each receiving desk in the Registry Office.

When rules  
to apply.

(4) All such rules so framed shall come into force from the time that they are so hung up in the Registry Office, and shall be binding upon all persons and shall remain in force until a rule or rules altering, amending or rescinding the same shall be signed and exposed in a similar way.

#### CERTIFICATE OF APPARENT OWNERSHIP.

Application  
for certifi-  
cate of  
apparent  
ownership.

**19.**—(1) Notwithstanding anything contained in *The Registry Act* whenever a deed of land is made or new plan is registered the grantee in the deed or person registering the plan may apply for a certificate of apparent ownership, submitting all title deeds, abstracts or proofs of title in his possession, a certificate of a solicitor who has searched the title, an affidavit by someone having personal knowledge showing the length of time for which possession has been consistent with the paper title, and a consent of any mortgagee or his solicitor.

Issue of  
certificate,  
fees.

(2) The Registrar shall make a short search to satisfy himself that the applicant has an apparent title and shall issue a certificate of apparent ownership promptly, if possible within one week from application, at a charge not exceeding one dollar for the first three lots mentioned therein and fifteen cents for each lot in excess of three lots and thereupon shall insert or stamp a note of the issue of such certificate and its date and the name of the person to whom it was issued upon the abstract index immediately following the entry of the deed or plan.

Form of  
certificate, —  
mortgagee's  
right to  
custody.

(3) Subject to any rules under section 23 the certificate shall be in the Form I in the schedule hereto or to the like effect.

Issue of  
fresh  
certificates.

**20.**—(1) The Registrar shall have power from time to time to issue fresh certificates to the registered owners from time to time of the land in question or to any mortgagee, but upon issuing any fresh certificate the Registrar shall note upon its face the date of the issue of the first certificate.

Rules.

(2) The Registrar shall have the power to frame rules as to the issue or recall of the certificate, the issue of new certificates or any other matter relating to the certificates or the practice of his office and to amend or rescind such rules from time to time by other rules and to make fresh rules, and all such rules when signed by him shall be posted at or near each receiving desk and shall be binding upon all persons.



**21.**—(1) At the expiration of ten years, or earlier if desired, from the date of the first certificate of apparent ownership issued any person then interested in the land mentioned in the certificate shall be entitled to apply under *The Land Titles Act* for a certificate of ownership with an absolute or qualified title as the circumstances may require and upon proving possession in the prescribed manner since the date of the first certificate of apparent ownership and furnishing such other proofs as the Master may require as to the devolution of the title since the date of such first certificate and in special cases upon furnishing such evidence or information as to the earlier title or supplementary documents relating thereto as the Master of Titles may require and complying with the requirements of the Surveys Branch and paying the necessary fees and assurance fund charges, the applicant shall be entitled to a certificate of absolute or qualified ownership as the circumstances may indicate, but if any person other than the applicant is in possession of any part of the land in question his consent to the registration of the title duly verified, shall be produced with the application, or he shall be notified before registration.

Application for certificate of ownership under *Land Titles Act*.

(2) Any notice to persons required to be notified of any application hereunder shall be in a form settled by the Master of Titles and may be served upon each such person by transmitting the same through the post office in a prepaid registered letter addressed to him or her at the proper post office address, the envelopes bearing a printed notice that they are to be returned to the Master of Titles if not delivered within seven days from the date of posting, and if any letter containing such notice is returned to the Master of Titles he shall not issue any certificate of ownership until personal service has been effected, or the person concerned has been notified in such manner as the Master may direct, or in such circumstances as the Master of Titles sees fit, the Master of Titles may dispense with the service of further notice upon him or his representative.

Form of notice of application.

**22.** (1) A Compensation Fund shall be formed in each Registry Office to which Part II of this Act applies for the indemnity of persons who may be wrongly deprived of land or some estate or interest therein by reason of the provisions of sections 14, 15 and 16 hereof.

Compensation Fund.

(2) In order to constitute such fund the sum of ten cents shall be payable in addition to all other sums for registration of each instrument after the date when this Act comes into force.

How constituted.

How moneys  
to be dealt  
with.

(3) Subject to any rules, the moneys paid under subsections (1) and (2) during each month in each Registry Office shall be certified correct by the Registrar or Deputy Registrar, and shall be paid into Court with the privity of the accountant of the Supreme Court and shall be placed to the credit of an account entitled "Compensation Fund" under *The Land Titles and Registry Act, 1923*, and shall be invested from time to time under the direction of the Court and the interest or income derived therefrom shall be credited to the same account.

Determin-  
ing liability  
of fund.

(4) The liability of the fund for compensation and the amount of compensation shall be ascertained and determined in such manner as the Lieutenant-Governor in Council shall direct by rules under section 23 hereof.

Rules by  
Lieutenant-  
Governor  
in Council.

**23.** The Lieutenant-Governor in Council may make rules not inconsistent with the provisions of this Act governing the practice and procedure under Part I or Part II of this Act, respecting the fees payable upon any proceeding and generally as to any matter arising for which no provision is made and for the better carrying out of the provisions of this Act.

Commence-  
ment of Act.

**24.** This Act shall come into force on the 1st day of July, 1923.

## SCHEDULE OF FORMS.

## FORM 1.

Form of Certificate of Apparent Ownership, Registry Act, to be printed on coloured paper easily distinguished from ordinary white paper.

Under instrument No. .... registered in this office, A.B. of .... is the apparent owner in fee simple of ..... subject as mentioned in section .... of the ..... Act (if any easement add "together with the right, etc."). The title of A.B. is subject to any claims to the said land by reason of any defect in the title of ..... (name of first registered owner) prior to the ..... day of ..... 192... (insert here the date when the first certificate issued in respect of the said land) and to any rights under adverse possession acquired thereafter.

This certificate is given subject to any errors or omissions therein.

In margin note any life estate, mortgage or registered lease as below.

(Where land is subject to a life estate say) "The title of A.B. is subject to the life estate of G.H. in said land."

(Where subject to a mortgage say) "The title of A.B. is subject to a mortgage dated ..... made by A.B. to W.Y. to secure S. .... and interest as therein set out."

(Where subject to a registered lease say) "The title of A.B. is subject to a registered lease dated the ..... day of ..... made by A.B. to H.L. for the term of ten years, commencing ..... 19...."

Date

Seal of R.O.

*Registrar.*





No. 169.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL,

An Act to amend the Law relating to Land  
Titles and the Registration of Instru-  
ments relating to Lands.

1st Reading,	5th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Billiard Room and Bowling Alley License Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Billiard Room and Bowling Alley License Act, 1923*. Short title.

**2.** Section 5 of *The Billiard Room and Bowling Alley License Act, 1922*, is repealed and the following substituted therefor:— 1922, c. 85, s. 5, repealed.

5. Subject to the provisions of section 9 every such license shall continue in force until the 31st day of May next following the date of the issue thereof and may be renewed annually thereafter upon payment of the prescribed fee. Duration of license

**3.** Section 6 of *The Billiard Room and Bowling Alley License Act, 1922*, is amended by adding thereto the following words:— 1922, c. 85, s. 6, amended.

“For licenses issued after September 1st, and before December 1st, in each license year the fee shall be four-fifths of that for the year; and for those issued after December 1st and before March 1st, the fee shall be one-half of that for the year; and for those issued after March 1st, the fee shall be one-quarter of that for the year.” Fees on licenses for part of the year.

**4.** The clause lettered *a* in section 10 of *The Billiard Room and Bowling Alley License Act, 1922*, is repealed and the following substituted therefor:— 1922, c. 85, s. 10, cl. a, repealed.

(a) Defining what places shall be deemed to be billiard rooms, pool rooms and bowling alleys respectively within the meaning of this Act and prescribing the class of persons to whom, and the terms and conditions under which licenses may be issued.

1922, c. S5  
amended.

**5.** *The Billiard Room and Bowling Alley License Act, 1922*,  
is amended by adding thereto the following section:—

Who may  
take  
declarations  
and  
affidavits.

14. Declarations or affidavits in connection with the issue of any license under this Act or required by regulations passed pursuant to this Act, may be taken before any person having authority to administer oaths or before any person specially authorized for that purpose by the Lieutenant-Governor in Council, but any person so specially authorized shall not charge any fee therefor.

Commence-  
ment of  
Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.





No. 170.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Billiard Room and  
Bowling Alley License Act.

1st Reading,	5th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

Mr. SMITH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Mineral Rights in certain Canada Company Lands.

**W**HEREAS in and by *The Canada Company's Act, 1922*,<sup>Preamble.</sup> it was recited that certain lands in various counties of Ontario including the mineral rights therein, had been theretofore granted by the Crown to the Canada Company and that the said lands had been sold and conveyed by the said company to divers purchasers, reserving the mineral rights to the said company, and that by various indentures subsequent to the said conveyances, the said company did release and quit-claim unto His Majesty, his heirs, successors and assigns all estate, right, title, interest, claim and demand whatsoever both at law or in equity or otherwise howsoever, and whether in possession or expectancy of it the Canada Company of, in, to or out of the said lands described in the said conveyances, and that it is expedient that the Crown be authorized and empowered to grant to the respective owners of the said lands the rights so conveyed to the Crown by the said company; and whereas the said company proposes to execute certain other indentures by way of release or quit-claim to His Majesty with respect to other lands in which the mineral rights have been reserved by the company; and whereas it is expedient that the Crown should be authorized and empowered to grant to the respective owners of the said lands the rights proposed to be so conveyed to the Crown and any similar rights which may hereafter be conveyed to the Crown by the said company.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Canada Company's Lands Act, 1923*.<sup>Short title.</sup>

2. Notwithstanding anything contained in *The Mining Act of Ontario*, or any other Act, the Crown is authorized to deal with any estate, right, title, interest, claim, and demand<sup>Power of Crown to deal with certain lands.</sup>

Rev. stat  
c. 32.

1922, c. 24.

in or to any lands in respect of which any such release or quit-claim may have been granted or may hereafter be granted to the Crown by the said Company in the manner provided by *The Canada Company's Lands Act, 1922*, with respect to the lands described in the indentures therein recited, and under and subject to the terms and conditions set forth in the said recited Act.

Commence-  
ment of  
Act.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



No. 171.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Mineral Rights in  
certain Canada Company Lands.

1st Reading,	5th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MULLS.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Judicature Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Judicature Act, 1923*. Short title
2. Section 5 of *The Judicature Act* is repealed and the following substituted therefor:— Rev. Stat. c. 56, s. 5 repealed.
5. The Appellate Division shall consist of a chief justice who shall be the president thereof and shall be called the Chief Justice of Ontario, a chief justice who shall be called the Chief Justice of the Second Divisional Court and eight other judges to be called Justices of Appeal. Appellate Division, — how constituted.
3. Subsection 1 of section 6 of *The Judicature Act* is repealed and the following substituted therefor:— Rev. Stat. c. 56, s. 6, subs. 1 repealed.
- (1) The High Court Division shall consist of nine judges. High Court Division, — how constituted.
4. Section 6 of *The Judicature Act* is amended by adding thereto the following subsection:— Rev. Stat. c. 56, s. 6, amended.
- (2a) Subject to the provisions of subsection 2, the Chief Justice of the Second Divisional Court shall have rank and precedence next after the Chief Justice of Ontario. Precedence of Chief Justice of Second Divisional Court.
5. Section 38 of *The Judicature Act* is repealed and the following substituted therefor:— Rev. Stat. c. 56, s. 38 repealed.
38. There shall be two Divisional Courts of the Appellate Division and they shall be numbered consecutively. Divisional Courts of Appellate Division.

Rev. Stat.  
c. 56, s. 39,  
subss. 1 to  
5 repealed.

6. Subsections 1 to 5 of section 39 of *The Judicature Act* are repealed and the following substituted therefor:—

First  
Divisional  
Court.

39.—(1) The First Divisional Court shall consist of the Chief Justice of Ontario and the present four Justices of Appeal and their successors in office.

Second  
Divisional  
Court.

(2) The Second Divisional Court shall consist of a Chief Justice and four Justices of Appeal.

Rev. Stat.  
c. 56, s. 39,  
subss. 8 and  
9 repealed.

7. Subsections 8 and 9 of section 39 of *The Judicature Act* are repealed and the following substituted therefor:—

When Judges  
of one  
Divisional  
Court may  
sit in  
another.

(8) Subsections 6 and 7 shall apply where a vacancy occurs in the Divisional Court by death or resignation of a judge or otherwise, until his successor is appointed.

Commence-  
ment of  
Act.

8. So far as may be necessary to enable any judicial appointments or changes to be made which the provisions of this Act may render necessary, this Act shall come into force on the day upon which it receives the Royal Assent, and in other respects shall come into force on the 1st day of January, 1924.





No. 172.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Judicature Act.

1st Reading,	6th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Tile Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Tile Drainage Act, 1923*. Short title.
2. Section 2 of *The Tile Drainage Act* is repealed and the following substituted therefor:—

Rev. Stat.  
c. 44, s. 2,  
repealed.

  - 2.—(1) The council of a town, village or township may pass by-laws, Form 1, for borrowing for the purposes hereinafter mentioned, in sums of not less than \$2,000, and not exceeding \$200,000, such amount as they may deem expedient, and for issuing therefor debentures of the municipality, Form 2, in sums of \$100 each, payable within ten or twenty years from the date of such debentures which shall bear date in the year in which the money is borrowed from the municipality as is hereinafter provided, and bearing interest at the rate of five per centum per annum, and it shall not be necessary to obtain the assent of the electors to any such by-law before the passing thereof.

Borrowing  
powers of  
councils.
  - (2) The amount of the indebtedness of the municipality in respect of money so borrowed and remaining unpaid, including the amount provided for in any by-law being passed, shall not at any time exceed \$200,000; nor shall a by-law be passed except at a meeting of the council especially called for the purpose of considering it, and held not less than four weeks after a notice, Form 3, of the day appointed for the meeting has been published in such newspaper as the council by resolution may direct.

Proviso.

Rev. Stat.  
c. 44, s. 10,  
repealed.

**3.** Section 10 of *The Tile Drainage Act* is repealed and the following substituted therefor:—

Purchase of  
debentures  
out of  
Consolidated  
Revenue  
Fund.

10. The Lieutenant-Governor in Council may authorize the investment of any surplus of the Consolidated Revenue Fund not exceeding in the whole at any time \$2,000,000, in the purchase of debentures issued under such by-laws in respect of which the Treasurer of Ontario shall have certified to the propriety of the investment.

Commence-  
ment of Act.

- 4.** This Act shall come into force on the day upon which it receives the Royal Assent.



No. 173.

4th Session, 16th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Tile Drainage  
Act.

1st Reading,	9th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SMITH.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Subsection 3a of section 10 of *The Assessment Act* as enacted by subsection 2 of section 7 of *The Assessment Amendment Act, 1922*, is amended by inserting at the end thereof the following words: Rev. Stat. 1914, c. 195, s. 10, subs. 3a amended.

“The provisions of this subsection shall enure to the benefit of any person with respect to a business tax payable by him in the year 1923 on an assessment made in 1922, and for that purpose such person may at any time during the year 1923 apply to the Court of Revision for a reduction of such business tax and the Court of Revision may reduce such business tax in conformity with the provisions of this subsection.”

so that the subsection when so amended will read as follows:

(3a) Where a manufacturer also carries on the business of a retail merchant he shall be assessed as a retail merchant in respect of any premises or of any portion of any premises which are occupied and used by him solely and only for the purpose of such business. The provisions of this subsection shall enure to the benefit of any person with respect to a business tax payable by him in the year 1923 on an assessment made in 1922, and for that purpose such person may at any time during the year 1923 apply to the Court of Revision for a reduction of such business tax and the Court of Revision may reduce such business tax in conformity with the provisions of this subsection. Manufacturer who is also retailer.

No. 174.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Assessment Act.

1st Reading,	10th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. NIXON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 18a of *The Local Improvement Act* as enacted by section 5 of the Act passed in the fifth year of the reign of His Majesty King George V, and chaptered 35, is repealed and the following substituted therefor:—

18a. Where a by-law has been heretofore or may hereafter be passed for undertaking any work as a local improvement and the council deems it inadvisable or impracticable to complete the work, the council may, by by-law amend such by-law and provide for the carrying out of part only of the work mentioned therein (or for the substitution in part of another kind or character of work for that undertaken in such by-law) but all the provisions of this Act shall apply to such partial work as if it had been originally undertaken as one entire work or to such substituted work as if it had been the work originally undertaken, but such amending by-law shall take effect only on being approved by the Ontario Railway and Municipal Board.

1915, c. 35,  
s. 5, repealed.  
Power to  
undertake  
part of work  
only.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Local Improvement  
Act.

1st Reading,	11th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Guelph Railway Act, 1921.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Guelph Railway Act, 1923*. Short title.
2. Subsection 1 of section 4 of *The Guelph Railway Act*, 1921, c. 22, s. 4, subs. 1, is amended by striking out the words "at the rate of six per cent. per annum" in the third line, and inserting in lieu thereof the words "at a rate not exceeding six per cent. per annum" so that the subsection will now read as follows:—
  - (1) The Commission is authorized to issue bonds dated Bond issue by Commission. the 1st day of May, 1921, and bearing interest at a rate not exceeding six per cent. per annum payable half-yearly, and maturing not more than twenty years from the said date to the amount of \$150,000.
3. Subsection 1 of section 5 of *The Guelph Railway Act*, 1921, c. 22, s. 5, subs. 1, is amended by striking out the words "six per cent. per annum" in the fourth line and inserting in lieu thereof the words "five per cent. per annum" so that the subsection will now read as follows:—
  - (1) The Corporation is authorized to issue debentures Issue of debentures. to an amount not exceeding \$300,000, payable in fifty years from the 1st day of May, 1921, and bearing interest at the rate of five per cent. per annum, payable half-yearly at the Bank of Montreal at Toronto.
4. Notwithstanding anything contained in *The Guelph Railway Act, 1921*, or in the agreement set out in the Schedule to the said Act, it shall not be necessary for the municipal corporation of the City of Guelph to issue and deposit with the Hydro-Electric Power Commission any debentures in addition to the debentures to the amount of \$300,000 already Deposit of further debentures.

so issued and deposited under the authority of section 5 of the said Act until the amount of the bonds issued by the said Commission under the authority of section 4 of the said Act shall exceed the said sum of \$300,000, but the said municipal corporation shall from time to time thereafter upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount as any increase of the bond issue of the Commission to cover the capital cost of extensions, improvements or additional works or equipment of the said railway, as provided in subsection 3 of section 4 of the said Act.

Commence-  
ment of Act.

**5.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



No. 176.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Guelph Railway  
Act, 1921.

1st Reading,	11th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. CARMICHAEL.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Representation of the  
People in the Legislative Assembly.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. This Act may be cited as *The Representation Act, 1923*. Short title
2. In this Act:— Interpretation.
  - (a) "Electoral district" shall mean a place entitled to Electoral district  
return a member or members to the Assembly;
  - (b) Where counties and territorial districts are re- References to counties and districts.  
ferred to, they shall, unless it is otherwise expressly  
provided, be deemed to be such counties and terri-  
torial districts respectively as constituted or defined  
by *The Territorial Division Act*, and the cities, towns  
and villages herein referred to are those mentioned  
in the statutes, by-laws or proclamations describing  
or defining such cities, towns or villages for municipal  
purposes.
3. The Legislative Assembly of the Province of Ontario Number of members.  
shall consist of one hundred and eleven members.
4. The Province of Ontario shall for the purpose of repre- Representation generally.  
sentation in the Assembly be divided into electoral districts  
as enumerated and defined in or by Schedule "A" and each  
of such electoral districts shall return one member to the  
Assembly, except the electoral districts of
5. The boundaries of electoral districts as set out in Municipal boundaries.  
Schedule "A" hereto shall not be affected by any alteration  
in municipal boundaries hereafter made.
6. The electors entitled to vote in any town or village not Towns and villages not expressly mentioned.  
expressly included by Schedule "A" within some electoral  
district, and lying within the boundaries of two or more

electoral districts, shall be entitled to vote in the electoral district in which they would have been so entitled if such town or village had not become incorporated.

Augmen-  
tations of  
gores of  
townships.

**7.** Unless where otherwise specially provided, all augmentations or gores of townships not specially mentioned in this Act shall be considered as forming part of the district in which the principal part of such locality is situate.

Places not  
specified.

**8.** Every city, town, village or township or other place lying within the territorial limits of any electoral district not specially included in any other electoral district by Schedule "A" shall form part of the electoral district in which it is situate.

Electoral  
districts,—  
what to  
include.

**9.** The provisions of this Act shall have effect notwithstanding the provisions of any special or general Act of this Legislature and the boundaries of the electoral districts set out in Schedule "A" shall include any territory lying within the said boundaries at the time of the passing of this Act.

1914, c. 4,  
repealed

**10.** *The Representation Act*, chapter 4 of the Statutes of Ontario, 1914, is repealed.

Commence-  
ment of Act.

**11.** This Act shall come into force and have effect on, from and after the dissolution or end of the present Legislative Assembly.





No. 177.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Representation of  
the People in the Legislative Assembly.

1st Reading,	12th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DUKY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to provide for the Election of Members  
to the Assembly on the System of  
Proportional Representation.

**HIS MAJESTY**, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Proportional Representation Act, 1923*. Short title.

**2.** This Act shall apply and have effect notwithstanding anything contained in *The Ontario Election Act*, in the case of an election to the Assembly in any electoral district where under *The Representation Act* the election is to be held under the system of proportional representation and the provisions of *The Ontario Election Act* shall be modified accordingly with respect to such election, but except where inconsistent with the provisions of this Act, all the provisions of *The Ontario Election Act* shall otherwise apply.

**3.** In this Act,—

Inter-  
pretation.

- (a) "continuing candidate" shall mean any candidate not elected or not excluded from the poll at any given time; "Continuing candidate."
- (b) "first preference" shall mean the figure "1" or a cross standing alone opposite the name of a candidate; "second preference" shall mean the figure "2" standing alone opposite the name of a candidate in succession to the figure "1" or a cross; "third preference" shall mean the figure "3" standing alone opposite the name of a candidate in succession to the figure "1" or a cross and the figure "2"; and so on; "First preference."
- (c) "next available preference" shall mean a second or subsequent preference recorded in consecutive numerical order for a continuing "Next available preference."

candidate, the preferences next in order on the ballot paper for candidates already elected or excluded from the poll being ignored;

"Transferable paper,"

- (d) "transferable paper" shall mean a ballot paper on which, following a first preference, a second or subsequent preference is recorded in consecutive numerical order for a continuing candidate;

"Non-transferable paper,"

- (e) "non-transferable paper" shall mean a ballot paper on which no second or subsequent preference is recorded for a continuing candidate:—

Provided that a paper shall be deemed to have become a non-transferable paper whenever,—

(i) the names of two or more candidates (whether continuing or not) are marked with the same number, and are next in order of preference; or

(ii) the name of the candidate next in order of preference (whether continuing or not) is marked

(a) by a number not following consecutively after some other number on the ballot paper; or

(b) by two or more numbers; or

(iii) for any other reason it cannot be determined for which of the continuing candidates the next available preference of the voter is recorded;

"Original vote,"

- (f) "original vote" in regard to any candidate, shall mean a vote derived from a ballot paper on which a first preference is recorded for that candidate;

"Transferred vote,"

- (g) "transferred vote" in regard to any candidate, shall mean a vote derived from a ballot paper on which a second or subsequent preference is recorded for that candidate;

- (h) "surplus" shall mean the number of votes by which the total number of the votes, original and transferred, credited to any candidate, exceeds the quota;
- (i) "count" shall mean,-- "Count,"
  - (i) all the operations involved in the counting of the first preferences recorded for candidates; or
  - (ii) all the operations involved in the transfer of the surplus of an elected candidate; or
  - (iii) all the operations involved in the transfer of the votes of an excluded candidate or of two or more candidates excluded together.

**4.—**(1) Each voter shall have one transferable vote. Vote of electors.

(2) A voter in recording his vote,—

- (a) shall place on his ballot paper the figure "1" or a cross (x) after the name of the candidate Method of voting. for whom he votes; and
- (b) may in addition indicate the order of his choice or preference for as many other candidates as he pleases by placing against their respective names the figures 2,3,4,5, and so on in consecutive numerical order.

**5.** A ballot paper shall be invalid on which, -- Invalid ballot papers.

- (a) the figure "1" or a cross (x) standing alone indicating a first preference for some one candidate is not placed; or
- (b) the figure "1" or a cross (x) standing alone indicating a first preference is placed opposite the name of more than one candidate; or
- (c) the figure "1" or a cross (x) standing alone indicating a first preference and some other figure are placed opposite the name of the same candidate; or
- (d) it cannot be determined for which candidate the first preference of the voter is recorded; or

- (e) any mark is placed by the voter by which he may afterwards be identified.

Form of  
ballot.

**6.** The form of ballot paper to be used and the form of direction for the guidance of voters in voting shall be set out in schedule "A."

Counting  
the ballots  
at polls.

**7.—(1)** Immediately after the close of the poll the deputy returning officer shall, in the following order,

- (a) place all the spoiled ballots in an envelope and seal it up;
- (b) count the number of voters whose names appear on the poll book as having voted and make an entry thereof on the line immediately below the name of the voter who voted last, thus "The number of voters who voted at this election in this polling division is" (stating the number) and sign his name thereto;
- (c) in the presence of and in full view of the poll clerk and the candidates or their agents, and, if the candidates and their agents or any of them are absent, then in the presence of such, if any, of them as are present, and of at least three electors, open the ballot box and proceed to determine the number of votes given for each candidate;
- (d) state aloud the name of the candidate for whom each ballot is to be counted, that is to say, the candidate against whose name the voter has placed the figure "1" or a cross if any cross appears on the ballot.

What  
ballots to  
be rejected.

**(2)** In counting the votes the deputy returning officer shall reject every ballot paper not supplied by him or which is invalid under section 5, but no irregularity in any mark apparently due to the ignorance, carelessness or physical incapacity of the voter, or to any apparently involuntary movement made by the voter, and no mark made voluntarily or otherwise by the deputy returning officer shall render the ballot invalid.

Objections  
to be noted.

**8.—(1)** The deputy returning officer shall make a note of every objection taken to a ballot paper, by a candidate, or his agent or a voter present, and shall decide the objection

subject to review on recount or on petition questioning the election or return.

(2) Each objection shall be numbered, and a corresponding number placed on the back of the ballot paper and initialed by the deputy returning officer <sup>and numbered and initialed.</sup>

**9.**—(1) All the ballot papers not rejected by the deputy returning officer shall be counted and an account kept of the number of ballots cast for each candidate, and of the number of rejected and cancelled ballot papers, and all the ballot papers indicating the votes given for each candidate respectively, shall be put into a separate envelope. <sup>How ballots to be counted.</sup>

(2) All rejected, and unused ballot papers respectively, shall be put into separate envelopes which shall be endorsed so as to indicate their contents, and shall be sealed by the deputy returning officer, and any agent present may write his signature across the flap of the envelope and may also affix his seal. <sup>Ballot papers to be put into parcels under seal.</sup>

**10.**—(1) The deputy returning officer shall make out a statement in triplicate, Form 21, one part to remain attached to the poll book, another to be retained by him, and the third to be enclosed by him in a special envelope supplied for the purpose, which he shall seal and deposit in the ballot box. <sup>Statement of result to be made by deputy returning officer.</sup>

(2) The statement shall forthwith be signed by the deputy returning officer and poll clerk and such of the candidates or their agents as may be present, and may desire to sign it. <sup>Signatures to statement.</sup>

(3) The deputy returning officer shall then deliver to each of the candidates, or to their agents, or, in the absence of the candidates and agents, to the voters present representing the candidates, a certificate, Form 22, of the number of ballots cast for each candidate, and of the number of rejected ballot papers; and he shall also, forthwith after the close of the poll, mail to each candidate, by registered post to his address stated in the ballot paper, a like certificate. <sup>Certificate of result of poll.</sup>

**11.**—(1) The poll clerk and the deputy returning officer shall then proceed as nearly as may be in the manner provided by *The Ontario Election Act* with respect to proceedings after the close of the poll.

(2) The forms provided by *The Ontario Election Act* to be used in conducting proceedings after the close of the poll may be modified as far as necessary to carry out the provisions of this Act.

Opening  
of ballot  
boxes by  
returning  
officer.

**12.**—(1) The returning officer at the place, day and hour appointed by the proclamation and after having received all the ballot boxes shall personally open them and shall record or cause to be recorded the total returns of first preference votes made by the deputy returning officers.

Total of  
valid ballots  
to be as-  
certained.

(2) The record of the respective parcels of ballot papers shall then be checked by the staff of the returning officer who shall then deliver the parcels of ballot papers to other members of the staff to be sorted under the names of the respective candidates according to the first preference recorded for each and the total number of valid ballots given in the entire electoral division shall be ascertained.

Ascertain-  
ment of  
quota.

**13.** The returning officer shall then divide the total number of valid papers polled in the whole electoral district by a number exceeding by one the number of members to be elected and the result increased by one, disregarding any fractional remainder, shall be the number of votes (hereinafter called the "quota"), sufficient to secure the return of a candidate.

Candidate  
with quota  
elected.

**14.** If at the end of any count the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall thereupon be elected.

Transfer of  
surplus.

**15.**—(1) If at the end of any count the number of votes credited to a candidate is greater than the quota the surplus shall be transferred, as in this section provided, to the continuing candidates for whom the next available preferences have been recorded on the ballot papers in the parcel or sub-parcel last received by the elected candidate.

Priority of  
surplus.

(2).—(a) If more than one candidate has a surplus, the largest surplus shall be first dealt with.

(b) If two or more candidates have each an equal surplus, the surplus of the candidate with the greatest number of votes at the first count at which the candidates in question had an unequal number of votes shall be first dealt with and where the numbers of votes credited to such candidates were equal at all counts, the returning officer shall determine which surplus he will first deal with.

Transfer of  
surplus  
optional.

(3) The returning officer need not transfer a surplus when that surplus, together with any other surplus not transferred, is less than the difference between the votes of the candidate lowest on the poll or the total of the votes of the two or more



candidates lowest on the poll, and the votes of the next highest candidate.

- (4).— (a) If the votes credited to an elected candidate consist of original votes only, the returning officer shall examine all the papers contained in the parcel of the elected candidate whose surplus is to be transferred. Surplus from original votes.
- (b) If the votes credited to an elected candidate consist of original and transferred votes, or of transferred votes only, the returning officer shall examine the papers contained in the sub-parcel last received by the elected candidate whose surplus is to be transferred. Surplus from transferred votes.
- (c) In either case the returning officer shall sort the transferable papers into sub-parcels according to the next available preferences recorded thereon, shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of transferable papers and in the sub-parcel of non-transferable papers. Papers sorted to next available preference.

(5) If the total number of papers in the sub-parcels of transferable papers is equal to or less than the surplus, the returning officer shall transfer the whole of each sub-parcel of transferable papers to the continuing candidate indicated thereon as the voters' next available preference, and shall set aside as a separate parcel so many of the non-transferable papers as are not required for the quota of the elected candidate, and the particular papers set aside shall be those last filed in the parcel of non-transferable papers. If transferable papers equal to or less than surplus, all transferred.

- (6).— (a) If the total number of transferable papers is greater than the surplus the returning officer shall transfer from each sub-parcel of transferable papers to the continuing candidate indicated thereon as the voters' next available preference the number of papers which bears the same proportion to the number of papers in the sub-parcel as the surplus bears to the total number of transferable papers. If transferable papers exceed surplus, proportionate transfer.
- (b) The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers, and a note shall be made of the fractional part, if any, of each number so ascertained. Ascertainment of number of papers to be transferred.

Treatment  
of fractional  
parts.

- (c) If, owing to the existence of such fractional parts, the number of papers to be transferred is less than the surplus, so many of these fractional parts taken in the order of their magnitude, beginning with the largest, as are necessary to make the total number of papers to be transferred equal to the surplus shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored.

Equality  
of fractional  
parts.

- (d) If two or more fractional parts are of equal magnitude, that fractional part shall be deemed to be the largest which arises from the largest sub-parcel, and if the sub-parcels in question are equal in size, the fractional part credited to the candidate with the greatest number of votes at the first count at which the candidates in question had an unequal number of votes shall be deemed to be the largest and where the numbers of votes credited to such candidates were equal at all counts the returning officer shall determine which fractional part shall be deemed to be the largest.

Papers  
transferred  
from sub-  
parcels.

- (e) The particular papers transferred from each sub-parcel shall be those last filed in the sub-parcel and each paper so transferred shall be marked in such a manner as to indicate the count at which the transfer took place.

Exclusion  
of candi-  
dates.

One candi-  
date ex-  
cluded.

Two or  
more ex-  
cluded.

**16.**—(1) If at the end of any count no candidate has a surplus or when under the preceding regulation any existing surplus need not be and is not transferred, and one or more vacancies remain unfilled, the returning officer shall exclude from the poll the candidate credited with the lowest number of votes; shall examine all the papers of that candidate; shall sort the transferable papers into sub-parcels according to the next available preferences recorded thereon for continuing candidates; shall transfer each sub-parcel to the candidate for whom that preference is recorded, and shall make a separate sub-parcel of the non-transferable papers.

(2) If the total of the votes of the two or more candidates lowest on the poll together with any surplus not transferred is less than the number of votes credited to the next highest candidate, the returning officer may at the same count exclude those lowest candidates from the poll, and transfer their votes as in this Act provided.

(3) If, when a candidate has to be excluded, two or more candidates have each the same number of votes and are lowest on the poll, the candidate with the lowest number of votes at the first count at which the candidates in question had an unequal number of votes shall be excluded, and, where the numbers of votes credited to these candidates were equal at all counts, the returning officer shall determine which shall be excluded.

**17.**—(1) If at the end of any count the number of elected candidates is equal to the number of vacancies to be filled, no further transfer of votes shall be made.

(2) If, on the exclusion of a candidate or candidates the number of the then continuing candidates is equal to the number of vacancies unfilled, the continuing candidates shall thereupon be elected, and no further transfer of votes shall be made.

**18.** The order of priority of election of elected members shall be the order in which they are severally elected and if at the end of any count two or more candidates are elected, the order of priority shall be the order of magnitude of the numbers of votes credited to such candidates, beginning with the greatest.

**19.**—(1) Whenever any transfer is made such sub-parcel of papers transferred shall be placed on the top of the parcel, if any, of papers of the candidate to whom the transfer is made and that candidate shall be credited with a number of votes equal to the number of papers transferred to him

(2) Non-transferable papers (except such as in the transfer of a surplus may be required for the quota of the elected candidate) shall be set aside as a separate parcel together with any parcel of non-transferable papers already set aside.

(3) On the transfer of the surplus of an elected candidate, all papers not transferred to continuing candidates and not set aside as provided in the preceding paragraph, shall be placed together in one parcel as the quota of the elected candidate and the parcel shall be marked with the name of the elected candidate.

**20.** Any candidate or his agent may, at the end of any count, request the returning officer to re-examine and re-count all or any of the papers dealt with during that count, and the returning officer shall forthwith re-examine and re-count accordingly the papers indicated without making any alteration in the arrangement of the papers in the various

parcels save where such alteration may be necessary in consequence of any error discovered in the re-count; the returning officer may also at his discretion re-count papers either once or more often in any case in which he is not satisfied as to the accuracy of any previous counting of the votes; but nothing herein shall make it obligatory on the returning officer to re-count the same papers more than once.

Determina-  
tion of  
questions  
arising out  
of decisions  
of return-  
ing officers.

**21.** If any question shall arise in relation to the exclusion from the poll of any candidate or to any transfer of votes, the decision of the returning officer whether expressed or implied by his acts shall be final unless an objection is made in writing by any candidate or his agent before the declaration of the poll, and in that event the decision of the returning officer may be reversed upon an election petition.

Election  
petitions.

**22.**—(1) If upon an election petition,—

- (a) any ballot papers counted by the returning officer are rejected as invalid; or
- (b) any rejected ballot papers are declared valid, the Court may direct the whole or any part of the ballot papers to be re-counted and the result of the election ascertained in accordance with this Act.

(2) If upon an election petition the decision of the returning officer upon any operation is reversed, the operation in question and all operations subsequent thereto shall be void and the Court shall direct what operation is to be made in place of the operation in question, and shall cause the subsequent operations to be carried out and the result of the election to be ascertained in accordance with this Act.

(3) On any re-count, subject to such modifications as may be necessary by reason of any order of the court, each paper shall take the same course as at the original counting of the votes.

**23.** Sections 130 to 144 of *The Ontario Election Act* shall not apply in case of an election to be conducted under the provisions of this Act, but any question arising under this Act as to the due election of any candidate may be the subject of a petition under *The Ontario Controverted Elections Act* and shall be treated accordingly.



No. 178.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to provide for the Election of  
Members of the Assembly on the  
System of Proportional  
Representation.

1st Reading,	12th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DRURY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to provide for a System of Transferable  
Votes at Elections to the Assembly.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Ontario Election (Transfer- Short title.  
able Vote) Act, 1923.*

**2.** The provisions of this Act shall apply where at any Application  
of Act. election for a member to serve in the Assembly, one member  
is to be elected for an electoral district and more than two  
candidates are nominated, and the provisions of *The Ontario  
Election Act* shall be modified accordingly as respects such  
election, but except where inconsistent with the provisions  
of this Act all the provisions of *The Ontario Election Act* shall Rev. Stat.  
c. 8. otherwise apply.

**3.** The form of directions for the guidance of voters shall Form of  
ballot paper  
and direc-  
tions to  
voters be according to Form 1 in the said schedule.

**4.—(1)** A voter at any such election,—

(a) shall place the figure "1" on the ballot paper Manner of  
making  
ballot. opposite the name of the candidate who is  
his first choice instead of the cross prescribed  
by *The Ontario Election Act*, and every vote First pre-  
ference. given by placing the said figure "1" opposite  
the name of a candidate shall be a "first  
preference vote";

(b) may, in addition to the figure "1" authorized Alternative  
vote. by this section, place on his ballot paper the  
figure "2," or the figures "2," "3" and so on,  
in the order of his preference, opposite the  
name of the candidate he would prefer if  
the candidate to whom he gives his first  
preference vote cannot be elected, and the  
votes so given shall be known as "alternative  
votes."

Use of cross  
instead of  
figure 1.

(2) A voter may place a cross opposite the name of the candidate for whom he desires to cast his first preference vote and such cross shall be regarded as equivalent to the figure "1."

Proceedings  
after close  
of poll

4. Immediately after the close of the poll, the deputy returning officer shall first place all the cancelled and declined ballot papers in separate envelopes and seal them up, and shall then count the number of voters whose names appear by the poll book to have voted, and make an entry thereof on the line immediately below the name of the voter who voted last, thus:—"The number of voters who voted at this election in this polling place is (stating number)," and he shall sign his name thereto.

Sorting  
ballots.

5. The deputy returning officer shall then in the presence and in the full view of the persons entitled to be present, open the ballot box and proceed to sort the ballot papers placing the ballot papers showing the first preference votes given for each candidate in a separate pile and giving full opportunity to those present to examine each ballot paper.

Rejected  
ballots.

6. The deputy returning officer shall reject the ballot papers herein called "rejected ballot papers,"—

- (a) which have not been supplied by him;
- (b) on which the figure "1" or a cross is not marked;
- (c) on which the figure "1" or a cross is placed opposite the name of more than one candidate;
- (d) on which the figure "1" or a cross and some other figure is placed opposite the name of the same candidate;
- (e) on which a cross and some figure other than "1" are placed opposite the name of the same candidate; or
- (f) on which there is any writing or marking by which the voter can be identified other than the number placed thereon by the deputy returning officer in the case provided for by section 108 of *The Ontario Election Act*, but no word, letter or mark written or made, or omitted to be written or made by the deputy returning officer on a ballot paper shall void the same or warrant its rejection.



**7.**—(1) The deputy returning officer shall make a note Objections of every objection taken to a ballot paper by a candidate, or his agent or a voter present, and shall decide the objection subject to review on recount or on petition questioning the election or return.

(2) Each objection shall be numbered, and a corresponding How marked, number placed on the back of the ballot paper and initialed by the deputy returning officer.

**8.** The deputy returning officer shall then proceed to count Count of first preference votes, all the first preference votes given for each candidate respectively on the ballot papers which have not been rejected.

**9.**—(1) The deputy returning officer shall make out a Statement of result of first preference voting, statement in triplicate, Form 2, one part to remain attached to the poll book, another to be retained by him and a third to be enclosed by him in a special envelope supplied for the purpose, which he shall seal and deposit in the ballot box.

(2) The statement shall forthwith be signed by the deputy Signatures of others present, returning officer and poll clerk and such of the candidates or their agents as may be present, and may desire to sign it.

(3) The deputy returning officer shall then deliver to each Statement to candidates, of the candidates, or to his agent, or in the absence of the candidates and agents, to the voters present representing the candidates, a certificate, Form 3, of the number of first preference votes cast for each candidate and of the number of rejected ballot papers and he shall also, forthwith after having closed the poll, mail to each candidate by registered post to his address as stated in the ballot paper, a like certificate.

**10.** The poll clerk, immediately after the completion of Oath of poll clerk, the counting of the votes, shall take and subscribe the oath prescribed by *The Ontario Election Act*, Form 23.

**11.**—(1) The returning officer at the place, day and hour Counting first preference votes from statements, appointed by the proclamation and after having received all the ballot boxes shall open them and the large envelopes containing the poll book but not any of the other sealed envelopes except the one containing the statement of the poll, and shall in the presence of the election clerk and the candidates or their representatives if present add up the first preference votes given for each candidate from the statement contained in the ballot box and if any candidate is found to have received an absolute majority of all the first preference votes cast the returning officer shall at once declare such candidate to be duly elected.

"Absolute majority," meaning of.

(2) The term "absolute majority" shall mean as respects any count made under this Act, the next whole number greater than one-half of the total number of ballot papers reckoned at the conclusion of that count, no account being taken of "exhausted ballot papers" as defined by section 17.

Casting vote of returning officer.

**12.**—(1) If the first preference vote cast for any one candidate exactly equals the total number of first preference votes cast for all the other candidates, the returning officer may give a casting vote in favour of such first mentioned candidate and he shall then be declared to be duly elected.

Checking statement of first preference votes.

(2) If no candidate has received an absolute majority including the casting vote of the returning officer if one is given, the returning officer shall, notwithstanding any provision of *The Ontario Election Act*, forthwith proceed to open the parcels containing the first preference votes given for each candidate and shall examine and count the ballot papers contained in each parcel and check the results against those in the statements of the several deputy returning officers, and the returning officer shall keep the first preference ballots cast for each candidate together in a separate place set apart for each candidate.

Second count.

(3) The returning officer shall then proceed to a second count and shall exclude from the contest the candidate who received the lowest number of first preference votes.

Transfer of second preference vote.

(4) The returning officer shall examine all the ballot papers credited to such excluded candidate and shall transfer, subject to section 17, to each of the remaining candidates, all the ballot papers in which such candidate has been given a second preference vote and those ballot papers having no second preference indicated thereon shall be set aside as being exhausted.

Election on second count.

**13.** If on the second count a candidate obtains an absolute majority of the votes reckoned in that count, he shall be declared elected.

Casting vote.

**14.** At the second count, and at any subsequent count, the returning officer may give a casting vote as provided in the case of the first count.

Third and subsequent counts.

**15.** If on the second count no candidate obtains an absolute majority of the votes reckoned on that count, the returning officer shall exclude the candidate with the smallest number of votes reckoned on that count and shall transfer, subject to sections 17 and 18, the alternative vote shown on the ballot papers reckoned in favour of the excluded candidate on the

second count and proceed as before to a third count, and shall if necessary repeat the process until a candidate is found to have a majority on any count, and that candidate shall thereupon be declared to be elected.

**16.** The votes reckoned in favour of a candidate at any count after the first shall be his first preference vote together with any votes transferred to him from excluded candidates. Reckoning total vote for each candidate.

**17.** It shall be deemed that a ballot paper of an excluded candidate is "exhausted" in any case in which,— "Exhausted ballots"

- (a) no further preference for any candidate not excluded is marked; or
- (b) the names of two or more candidates, whether excluded candidates or not, are marked with the same figure, and are next in order of preference; or
- (c) the name of the candidate next in order of preference, whether excluded or not, is marked
  - (i) by a figure not following consecutively after some other figure on the ballot paper; or
  - (ii) by two or more figures.

**18.** The votes transferred from an excluded candidate after any count shall be the votes, if any, indicated as next in order of preference on the ballot papers reckoned on that count in favour of the excluded candidate, but in no case shall a vote be transferred to a candidate who has already been excluded,—the vote transferred shall be the vote, if any, next in order of preference to that given to an excluded candidate. What votes to be transferred from excluded candidate.

**19.** If at any time two or more candidates, one of whom ought to be excluded, have an equal number of votes, that candidate shall be excluded the greater number of whose votes are transferred votes, but if there is no difference in this respect between the candidates, or if none of the votes of either of the candidates are transferred votes, the returning officer shall determine which of the candidates is to be excluded. Where two or more candidates are lowest.

**20.** In addition to such other returns as are required to be made by *The Ontario Election Act* the returning officer Statement of transferred votes.

shall prepare a notice, Form 4, of the number of votes of first preference and the total number of votes transferred under the foregoing sections and of the total number of votes counted to each candidate after such transfer, and one copy of such notice shall be certified by the returning officer and forwarded to the Clerk of the Crown in Chancery and shall be published by him in the Ontario Gazette.

Candidate  
declared  
elected to  
have seat.

**21.** Subject to the provisions of *The Ontario Election Act* and *The Ontario Controverted Elections Act* any candidate declared to be elected by the returning officer under this Act shall be deemed to be the candidate elected in the election.

Proceedings  
after count.

**22.** After the counting has been completed and the candidate elected the returning officer shall seal up the ballot papers in separate packages according to the final count, and shall proceed thereafter as nearly as may be as provided by *The Ontario Election Act*.

Regulations  
and in-  
structions.

**23.** The Chief Election Officer, subject to the approval of the Lieutenant-Governor in Council, may make regulations not inconsistent with this Act instructing returning officers and deputy returning officers and for the removal of any conflict which may arise between the provisions of this Act and *The Ontario Election Act*, and for the proper carrying out of the objects of this Act.

Commence-  
ment of Act.

**24.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE OF FORMS.

## FORM I.

## Directions for the Guidance of Voters.

(Referred to in Section 3.)

The voting at this election is under *The Ontario Election (Transferable Vote) Act, 1923*, and while the voter has only one vote he may direct the transfer of that vote in case the candidate for whom he indicates his first preference vote cannot be elected, in the following manner:—

Where there are more seats than one the voter will receive a separate ballot paper for each seat and will have a transferable vote for each of the seats.

The voter shall go into one of the compartments and with the pencil there provided place within the white space containing the name of the candidate who is his first choice, the figure 1.

The voter may, in addition to the figure 1, place the figure 2, or the figures 2, 3 and so on, in the order of his preference, within the white spaces containing the names of the candidates whom he would prefer if the candidate who is his first choice cannot be elected.

A voter may not,—

- (a) place more than one figure opposite the name of any one candidate;
- (b) place the same figure opposite the names of two or more candidates.

If a voter should inadvertently mark a cross instead of the figure 1 he will not spoil his ballot, but the voter should in general employ the figure 1 rather than a cross and must not in any case use the figure 1 and a cross.

When a voter has marked his ballot paper he shall fold it so that the initials and stamp on the back and the number on the counterfoil can be seen without opening it; he shall then return the ballot paper so folded to the deputy returning officer, who shall, in full view of those present, including the voter, remove the counterfoil, destroy the same, and place the ballot paper in the ballot box; the voter shall then forthwith leave the polling place.

If a voter inadvertently spoils a ballot paper so that he cannot conveniently use it as he desires, he may return it to the deputy returning officer who will give him another.

If a voter places more than one figure opposite the name of more than one candidate, or places the same figure opposite the names of two or more candidates, or places any mark on the ballot paper by which he can be identified, his vote will be void and will not be counted.

If a voter fraudulently takes a ballot paper out of the polling place, or fraudulently delivers to the deputy returning officer to be placed in the ballot box any other paper than the ballot paper given him by the deputy returning officer, he shall be liable to imprisonment for one year.

In the following forms of ballot papers the voter has given his first preference to Joseph O'Neil, his second preference to Wm. R. Brown, his third to John R. Smith and his fourth to Frank Hamon.

In the second example he has not chosen to exercise his right of alternative vote and has indicated only his first preference for Frank Hamon.

In the third example he has exercised his right of choice as to three candidates and has given his first preference to John R. Smith, his second to Frank Hamon and his third to Wm. R. Brown.

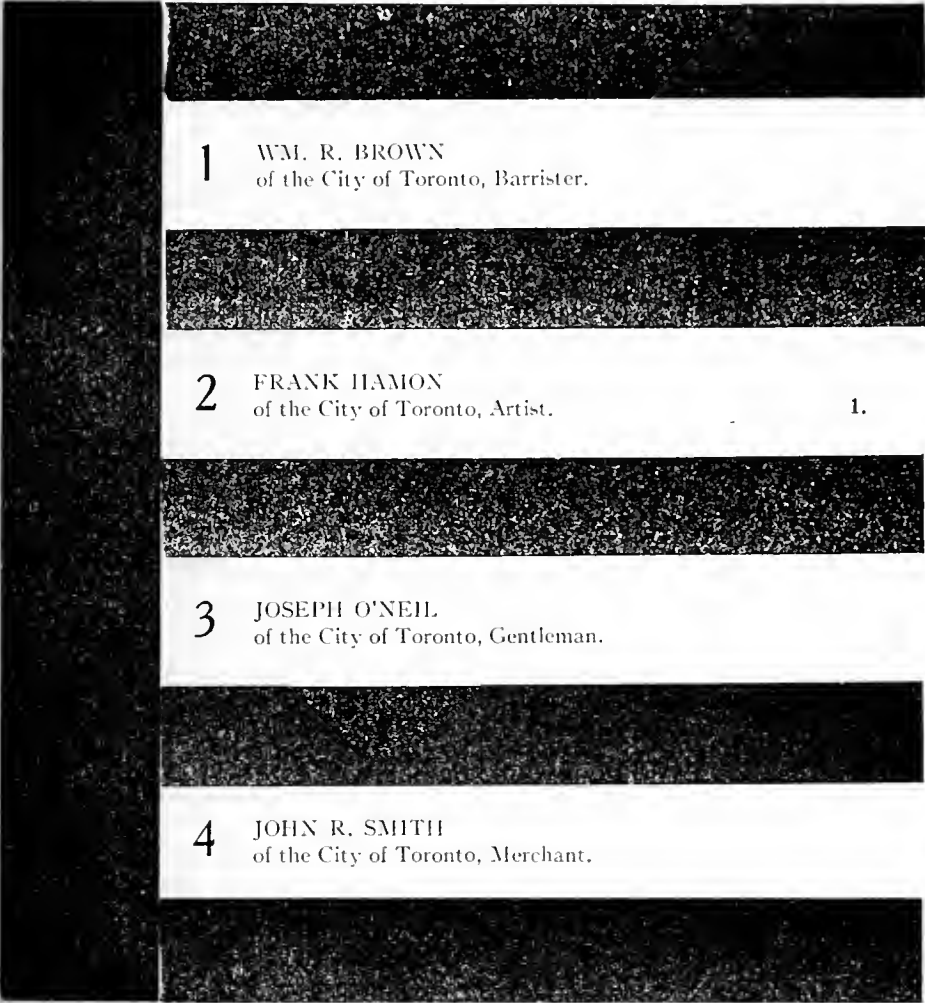
## A.

1 WM. R. BROWN  
of the City of Toronto, Barrister. 2.

2 FRANK HAMON  
of the City of Toronto, Artist 4.

3 JOSEPH O'NEIL  
of the City of Toronto, Gentleman. 1.

4 JOHN R. SMITH  
of the City of Toronto, Merchant. 3.



1 WM. R. BROWN  
of the City of Toronto, Barrister.

2 FRANK HAMON  
of the City of Toronto, Artist.

1.

3 JOSEPH O'NEIL  
of the City of Toronto, Gentleman.

4 JOHN R. SMITH  
of the City of Toronto, Merchant.

## C.

1 WM. R. BROWN  
of the City of Toronto, Barrister.

3.

2 FRANK HAMON  
of the City of Toronto, Artist.

2.

3 JOSEPH O'NEIL  
of the City of Toronto, Gentleman.

4 JOHN R. SMITH  
of the City of Toronto, Merchant.

1.



FORM 2.

Statement of the Poll after Counting the Ballots.

(Referred to in Section 9 (1).)

Polling Place No.

Electoral District of

Number of ballot papers received from the Returning Officer.....	.....
Number of ballots on which first preference votes given to (name of candidate).....	.....
Number of ballots on which first preference votes given to (name of candidate).....	.....
Number of ballots on which first preference votes given to (name of candidate).....	.....
Number of ballots on which first preference votes given to (name of candidate).....	.....
Number of ballots on which first preference votes given to (name of candidate).....	.....
Number of ballots on which first preference votes given to (name of candidate).....	.....
Number of ballot papers declined.....	.....
Number of ballot papers taken from polling place.....	.....
Number of ballots rejected.....	.....
Number of ballot papers not used and returned.....	.....
Totals.....	.....

We hereby certify that the above statement is correct.

Dated at 19 .

A. B.

Deputy Returning Officer.

Poll Clerk.

(Candidates or agents may also sign).

NOTE.—Where there are separate seats for an electoral district there must be separate statements for each seat.

## FORM 3.

Certificate to be delivered to Candidates, etc.

(Referred to in Section 9 (3).)

I, the undersigned, deputy returning officer for polling place No. \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ in the electoral district of \_\_\_\_\_, do hereby certify that, at the election held this day, for a member to serve in the Legislative Assembly, the hereinafter mentioned candidates received the number of first preference votes set opposite their respective names, viz:—

Names of Candidates	Number of First Preference Votes
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....

and also that \_\_\_\_\_ ballot papers were rejected.

Dated at \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ G. R.,

Deputy Returning Officer.

## FORM 4.

(Referred to in Section 20)

Public Notice of the Result of the Poll held on the \_\_\_\_\_ day of  
A.D. 19 \_\_\_\_\_, at the Election of a Member to serve in the Assembly.

THE ONTARIO ELECTION (TRANSFERABLE VOTE) ACT, 1923.

Electoral District of \_\_\_\_\_

Names of Candidates	1st Count.	2nd Count.		3rd Count.		Candidate Elected.
		Transfer of D's Votes	Result	Transfer of C's Votes	Result	
A	4,653	43	4,596	+59	4,755	—
B	3,981	429	4,410	+1,095	5,505	B
C	1,527	93	1,620	-1,620	.....	—
D	685	-685	.....	....	.....	—
Exhausted ballots	10,846	.....	10,726	.....	10,260	
	.....	+120	120	+466	586	
Total..	10,846	.....	10,846	.....	10,846	

Absolute Majority  
1st Count.

10846  
—+1=5,424  
2

Absolute Majority  
2nd Count.

10726  
—+1=5,364  
2

Absolute Majority  
3rd Count.

10260  
—+1=5,131  
2







No. 179.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to Provide for a System of Transfer-  
able Votes at Elections to the Assembly.

1st Reading,	12th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DRURY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# **BILL**

An Act to make further provision for Development Work in Northern and Northwestern Ontario.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Northern and Northwestern Ontario Development Act, 1923*. Short title.

**2.** The Lieutenant-Governor in Council is authorized to raise by way of a loan a sum of money not exceeding five million dollars, in addition to the amount provided for by *The Northern and Northwestern Ontario Development Act, 1912*, *The Northern and Northwestern Ontario Development Act, 1918*, and *The Northern and Northwestern Ontario Development Act, 1921*, and the proceeds of the loan hereby authorized, and any portion remaining unexpended of the proceeds of any loan made under the said *The Northern and Northwestern Ontario Development Act, 1912*, the said *The Northern and Northwestern Ontario Development Act, 1918*, or the said *The Northern and Northwestern Ontario Development Act, 1921*, shall be applied for the purposes set out in the Act of 1912, and in *The Northern and Northwestern Ontario Development Act, 1915*, *The Northern and Northwestern Ontario Development Act, 1916*, *The Northern and Northwestern Ontario Development Act, 1917*, *The Northern and Northwestern Ontario Development Act, 1918*, *The Northern and Northwestern Ontario Development Act, 1919*, *The Northern and Northwestern Ontario Development Act, 1921*, and *The Returned Soldiers' and Sailors' Land Settlement Act*, or any of them.

**3.** The said additional sum of five million dollars may be borrowed for any term or terms not exceeding fifty years, at such rates as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

**4.** The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue hereby author-

Rev. Stat.  
c. 21.

ized, and such sinking fund may be at a greater rate than one-half of one per cent. per annum as specified in subsection 2 of section 4 of *The Provincial Loans Act*.

Proceeds  
of loan  
set apart  
for  
development  
work.

5. There shall be paid out of the Consolidated Revenue Fund, to the extent of the loan hereby authorized, such sums as the Lieutenant-Governor in Council may from time to time deem necessary for the purposes set out in section 2, or any of them, and the sums shall be expended, by any department, branch or persons, or through commissioners appointed under the authority of *The Northern and Northwestern Ontario Development Act, 1912*.

1912, c. 2.

Regulations.

6. The Lieutenant-Governor in Council may make regulations from time to time for the expenditure of the proceeds of the loan hereby authorized, and prescribing the terms and conditions upon which the same shall be expended, and generally for the better carrying out of the provisions of this Act.

Terms, etc.,  
to be pre-  
scribed by  
order-in-  
council.

7. Every loan made under the authority of this Act or the Acts mentioned in section 2, shall be subject to the said regulations as to the terms of repayment, security, inspection, interest to be charged, and forms of notices or other documents required or as may be prescribed by the Lieutenant-Governor in Council.

1916, c. 11,  
amended.

8. *The Northern and Northwestern Ontario Development Act, 1916*, is amended by adding thereto the following section:

Rights of  
Com-  
missioner  
where  
notice of  
lien filed.  
1918, c. 8;  
1921, c. 18.

17. Where notice of a lien has been or is hereafter registered in the Department of Lands and Forests or in the proper registry or land titles office under *The Northern and Northwestern Ontario Development Acts, 1916, 1918, 1921* or any of them or under this or any future Act relating to loans to settlers in Northern and Northwestern Ontario the Commissioner shall be deemed to have and to have had from the date of the registration of such notice and he may exercise and enforce all the rights, privileges, powers and remedies in the name of the Crown in the same manner and to the same extent as if the settler had executed and there had been registered against the land named in the notice of lien, a mortgage to the Crown under *The Mortgages Act*.

Commence-  
ment of Act.

9. This Act shall be read as one with the Acts referred to in section 2, and shall come into force on the day upon which it receives the Royal Assent.





No. 180.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to make further provision for  
Development Work in Northern and  
Northwestern Ontario.

1st Reading,	12th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. BOWMAN.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Trustee Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Trustee Act, 1923*.

Short title.

**2.** To remove doubts it is declared that subject to the terms of any instrument creating a trust the sole trustee or the last surviving or continuing trustee appointed for the administration of the trust, has and always has had authority to appoint by will another person or other persons to be a trustee or trustees in the place of such sole or surviving or continuing trustee after his death, but nothing in this section shall affect or render invalid any appointment of a trustee by the personal representatives of a sole or surviving or continuing trustee or otherwise and all acts heretofore done and all such appointments heretofore made shall be as valid and effectual to all intents and purposes as if this section had not been enacted.

Authority  
of surviving  
trustee to  
appoint  
successor  
by will.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

No. 181.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Trustee Act.

1st Reading,	12th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. NICKLE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Trustee Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Trustee Act, 1923*.

Short title.

**2.** To remove doubts it is declared that subject to the terms of any instrument creating a trust the sole trustee or the last surviving or continuing trustee appointed for the administration of the trust, has and always has had authority to appoint by will another person or other persons to be a trustee or trustees in the place of such sole or surviving or continuing trustee after his death, but nothing in this section shall affect or render invalid any appointment of a trustee *by the personal representatives of a sole or surviving or continuing trustee or otherwise heretofore made but all such appointments shall be as valid and effectual to all intents and purposes as if this section had not been enacted.*

Authority of surviving trustee to appoint successor by will.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

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No. 181.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to amend The Trustee Act.

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1st Reading,	12th April, 1923.
2nd Reading,	20th April, 1923.
3rd Reading,	1923.

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*(Reprinted as amended by the  
Legal Committee)*

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MR. NICKLE.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Provincial Highway Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Provincial Highway Amendment Act, 1923.* Short title.

2.—(1) Notwithstanding anything contained in *The Provincial Highway Act* or the amendments thereto, that Municipal corporation not to contribute. portion of the cost of construction, repair and maintenance, chargeable to the corporation of the county, under section 11 of *The Provincial Highway Act*, shall be borne by the Department, and shall not be repayable to the Province of Ontario by the county.

(2) Nothing in this Act shall prevent the construction or repair and maintenance of any road by agreement between the Department and a municipal corporation or any other body authorized under *The Provincial Highway Act* or the amendments thereto, to enter into an agreement with the Department of Public Highways for the construction, repair and maintenance of roads, and for contributions thereto. Certain agreements not affected.

3. This Act shall apply only to expenditure on Provincial Highways made by the Department since the first day of May, 1922.

4. This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

No. 182.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Provincial  
Highway Act.

1st Reading,	13th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. BIGGS.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Cemetery Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Cemetery Amendment Act*, Short title.  
1923.

**2.** Section 23 of *The Cemetery Act* is amended by adding Rev. Stat.  
c. 261, s. 23,  
amended. thereto the following subsection:—

- (2) The owner of a cemetery may after having adver- Sale of  
abandoned  
lots. tised once a week for three successive weeks in a newspaper approved by the local board, for relatives of the person in whose name an abandoned cemetery lot stands, and where such lot is not claimed the owner may thereupon repossess and sell the unoccupied part of such abandoned lot and shall apply the proceeds of such sale for the perpetual care of the occupied part of such lot.

**3.** Subsection 1 of section 24 of *The Cemetery Act* is amended Rev. Stat.  
c. 261, s. 24,  
subs. 1,  
amended. by striking out the word “may” in the third line and substituting therefor the word “shall,” and by adding at the end of said subsection 1 the words “and shall have all the rights and powers and shall perform all the duties of an owner,” so that the subsection will now read as follows:—

- (1) Where the owner of a cemetery cannot be found or Absence or  
inability of  
owner. is unknown or is unable to maintain it, the council of the local municipality in which the cemetery is situate shall undertake the duty of maintaining it, and where a council so undertakes, the corporation shall for the purposes of this Act be deemed to be the owner of the cemetery, and shall have all the rights and powers and shall perform all the duties of an owner.

Rev. Stat.  
c. 261, s. 24;  
1921, c. 86,  
s. 4,  
amended.

**4.** Section 24 of *The Cemetery Act* as amended by section 4 of *The Cemetery Amendment Act, 1921*, is further amended by adding thereto the following subsection:—

Local  
inspectors,—  
appoint-  
ment of.

- (3) The council of every county shall appoint one or more local inspectors who shall have the duties and powers within the municipality of inspectors appointed by the Lieutenant-Governor in Council under the provisions of section 10a.

Commence-  
ment of Act

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.



No. 183.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Cemetery Act.

1st Reading,	13th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

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No. 184.

1923.

# BILL

An Act respecting the Township of York.

**W**HEREAS, the Corporation of the Township of York Preamble.  
has by its petition prayed that it be enacted as here-  
inafter set forth, and it is expedient to grant the prayer of  
the said petition;

Therefore His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Township of York Act*, Short title.  
1923.

**2.** By-law Number 7041 of the Corporation of the Town- By-law  
No. 7041,  
Township  
of York  
confirmed.  
ship of York set forth in full in Schedule "A" to this Act is  
hereby ratified and confirmed and declared to be legal, valid  
and binding upon the said Corporation and the ratepayers  
thereof.

SCHEDULE "A."  
TOWNSHIP OF YORK.

By-Law No. 7041.

A by-law providing for a fixed assessment of the lands and premises hereinafter described for a period of twenty years.

Whereas, Ford Motor Company of Canada, Limited, have by their petition represented that the said company are now seised of the lands and premises hereinafter described on which they contemplate erecting buildings and installing therein the necessary plant and machinery for the purposes of their business, to be carried on thereon under the name of Ford Motor Company of Canada, Limited.

And whereas, the said company by their petition requested that a by-law be passed providing that the annual assessment of the said lands and premises be fixed for a period of twenty (20) years, to be computed from the first day of January, 1923.

And whereas, it appears expedient to accede to the said request and to fix the assessment of the lands, building, plant and machinery for a period of twenty (20) years, as follows:

For the first five-year period, commencing with January 1st, 1923, at.....	\$75,000
For the second five-year period, commencing with January 1st, 1928, at.....	100,000
For the third ten-year period, commencing with January 1st, 1933, at.....	150,000

Now therefore, be it enacted and it is hereby enacted by the Municipal Council of the Corporation of the Township of York:—

1. That all and singular those certain parcels or tracts of land and premises owned by Ford Motor Company of Canada, Limited, situate, lying and being in the Township of York, in the County of York, and being composed of part of lot number one (1) in the First Concession from the Bay, in the said Township of York, and more particularly described as follows, that is to say: Commencing at the intersection of the westerly limit of Victoria Park Avenue with the southerly limit of Danforth Avenue, thence westerly along said southerly limit a distance of one thousand three hundred and forty and five-tenths (1,340.5) feet, more or less to the westerly limit of said lot number one (1), thence southerly along said westerly limit of lot number one (1) a distance of five hundred and four and thirty-three hundredths (504.33) feet, thence easterly parallel to the southerly limit of Danforth Avenue to the said westerly limit of Victoria Park Avenue, thence northerly along said westerly limit of Victoria Park Avenue a distance of five hundred and four and thirty-three one-hundredths (504.33) feet more or less to the place of beginning, and containing by admeasurement fifteen and fifty-two one-hundredths (15.52) acres, together with all buildings, stock-in-trade, plant, machinery, fixtures or materials now or hereafter thereon or therein and all other personal and other assessable property of Ford Motor Company of Canada, Limited, for a period of twenty (20) years, to be computed from the first day of January, A.D. 1923, shall be annually assessed for all purposes en bloc, as follows:

For the first five-year period, commencing with January 1st, 1923, at.....	\$ 75,000
For the second five-year period, commencing with January 1st, 1928, at.....	100,000
For the third ten-year period, commencing with January 1st, 1933, at.....	150,000

Which said sums are to be a fixed assessment and the said lands and premises and property shall be for such time exempt from any special

assessments for any improvement or work of that class of improvements or works where the costs thereof or any part thereof is or would otherwise be charged against the lands specially benefitted thereby, except in so far as school purposes and local improvements are concerned the said lands and premises shall be liable to assessment.

2. In case any part or parts of the said lands shall be used for the purpose of dwelling houses or for any purpose not connected with the business of the company, such part or parts when and so long as used for such purpose shall be assessable as if this by-law had not been passed, and, in the event of the destruction of the said building or property, or any part thereof, so that the value of the same with the said lands and other property shall not be equal to the said sum of \$75,000 during the first five years, \$100,000 during the second five years, or \$150,000 during the last ten-year period, the assessment shall be made while such value is under the amount of the fixed assessment hereby provided for as if this by-law had not been passed.

3. Provided that the business assessment of the said company shall be based upon the fixed assessment as above set out for the term herein mentioned.

4. In the event of the Provincial Government or any other authority having jurisdiction over the highway known as Danforth Avenue in the said Township, desire to widen that portion of the said highway from the westerly limit of the Township of York to Victoria Park Avenue to a width of eighty-six (86) feet, the Ford Motor Company of Canada will convey a strip adjoining the said highway on the southerly side thereof not wider than twenty (20) feet by the full length of the said property of Ford Motor Company of Canada, Limited, to said proper authority without further consideration therefor, but such conveyance shall be upon the express understanding that no part of the cost of widening of said highway, either fronting on the said property or further to the east in said county, shall be chargeable to Ford Motor Company of Canada, Limited, or to its lands and premises.

5. The assessors and other officers making such assessment are hereby authorized and required to so make their assessments and returns as to conform with the provisions of this by-law.

6. Application shall be made by the said Municipal Corporation or the said company to the Legislature of the Province of Ontario to confirm this by-law and to carry the provisions thereof into effect, and if such application be made by the company, the Municipal Corporation will give its consent thereto.

7. This by-law is passed subject to confirmation by the Legislature of the Province of Ontario.

Passed this 1st day of February, A.D. 1923.

"W. S. JURY,"  
*Reeve.*

"W. A. CLARKE,"  
*Clerk.*

No. 184.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Township  
of York.

1st Reading,	16th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. TOLMIE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No.

1923.

# BILL

An Act respecting the Town of Haileybury.

**W**HEREAS, the Corporation of the Town of Haileybury <sup>Preamble.</sup> has, by its petition represented that the buildings in the business section of the Town of Haileybury, in the District of Temiskaming, were totally destroyed by fire on October the 4th, 1922; and whereas the council of the said town, in order to assist the citizens, permitted temporary buildings and structures to be erected within the fire limits and issued temporary permits permitting such buildings to be erected; and whereas it is necessary and desirable in order that danger from fire be minimized, that the council of the said town be empowered to tear down or remove the said temporary buildings or structures or cause the owners thereof to make the said temporary buildings or structures conform to the by-laws of the municipality respecting fire prevention or to tear down or remove the same; and whereas, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. All buildings or other structures erected within the fire areas numbers one and two, as defined in the by-laws of the said corporation, shall be torn down or removed out of the said fire areas within two weeks after notice asking for such removal or tearing down shall have been given to the owner or occupant thereof, and such notice may be given by letter prepaid and registered and deposited in His Majesty's Post Office at Haileybury, addressed to such owner or occupant, and the said two weeks shall start to run from the date of the posting of the said letter, and by posting up a copy of the said notice on the said building or structure so to be removed or torn down. <sup>Temporary buildings to be torn down on notice.</sup>

2. In the event of failure on behalf of the owner or occupant to so tear down or remove such building or structure within the said time, the said council may tear down or remove the said building or structure at the expense of the owner, <sup>Council may order buildings torn down on failure of owner or occupant to do so.</sup>

and the said corporation shall have the right to sell the salvage of such building or structure by public auction or private sale and apply the proceeds thereof upon such expense, and if the same is not sufficient to meet the said expense the balance may be collected in the same way and in the same manner as other municipal rates and charges are collected.

Penalty.

**3.** The owner of any such building or structure who neglects or refuses to so tear down or remove such building or structure, as hereinbefore provided for, shall, upon summary conviction, incur a penalty of not less than \$25 nor more than \$50 with costs, and in default of payment of such penalty and costs forthwith, said penalty and costs may be levied by distress and sale of the goods and chattels of the offender, and in case of there being found no distress out of which the penalty can be levied, the offender may be punished by imprisonment in the common gaol or lock-up house of the district or of the said corporation, with or without hard labour, for a period not exceeding twenty-one days, unless the penalty inflicted and costs, including the cost of distress, and the committal and conveyance of the offender to the gaol, or lock-up house, shall be sooner paid.

Order of  
magistrate—  
penalty for  
default.

**4.** Upon conviction for a breach of this Act in the event of the said municipality not desiring to incur the expense of tearing down or removing such building or structure, the convicting magistrate, besides imposing a penalty, may order the offender to carry out the requirements of this Act within a time to be limited by the Order and, in case of further default, the offender shall be liable for contempt of Court and to the infliction of a further penalty of not less than \$50 and not more than \$100 and costs.

Reconstruction  
of  
building.

**5.** Where, in the opinion of a majority of the said council, any such building or structure is capable of being made to conform to the provisions of the fire by-laws of the said corporation, then and in such case, the said council may give the owner or occupant a reasonable time to make the said building or structure so conform and upon default the foregoing provisions of this Act shall apply.

Commence-  
ment of Act.

**6.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



No.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of Haileybury.

1st Reading,	1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill*)

MR. LANG.


TORONTO:  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Haileybury.

**W**HEREAS, the Corporation of the Town of Haileybury Preamble.  
has, by its petition represented that the buildings in the business section of the Town of Haileybury, in the District of Temiskaming, were totally destroyed by fire on October the 4th, 1922; and whereas the council of the said town, in order to assist the citizens, permitted temporary buildings and structures to be erected within the fire limits and issued temporary permits permitting such buildings to be erected; and whereas it is necessary and desirable in order that danger from fire be minimized, that the council of the said town be empowered to tear down or remove the said temporary buildings or structures or cause the owners thereof to make the said temporary buildings or structures conform to the by-laws of the municipality respecting fire prevention or to tear down or remove the same; and whereas, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

 **1.** The council of the corporation may pass a resolution requiring that any building or other structure erected within fire areas numbers one and two as defined in the by-laws of the said corporation shall be torn down or removed out of the said fire areas; and it shall be the duty of the owner of such building or structure to tear down or remove the same within one month after he has been served with notice of such resolution by the corporation. Temporary buildings to be torn down on notice.

**2.** In the event of the owner failing to so tear down or remove a building or structure within the said period of one month, the said corporation may make application to the District Judge for an order authorizing the corporation to tear down or remove the same at the expense of the owner, and the Judge on such application may extend the time for such tearing down or removal, or impose such other terms, and make such order as to costs as he may deem proper. Corporation may apply to Judge for order.


Recovery of  
expenses of  
removal.

**3.** The expense incurred by the corporation in so tearing down or removing any building or structure together with any costs awarded against the owner may be recovered by action or placed on the collector's roll and recovered in the same manner as taxes are recoverable against the land.

Reconstruction of  
building.

**4.** Where in the opinion of the council of the said corporation any such building or structure is capable of being made to conform to the provisions of the fire by-laws of the said corporation, then and in such case, the said council may give the owner a reasonable time to make the said building or structure so conform and upon default the foregoing provisions of this Act shall apply.

Commencement of Act.

**5.** This Act shall come into force and take effect upon the first day of April, 1924. 



No. 185

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Town of Haileybury.

1st Reading,	16th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private Bills  
Committee).*

MR. LANG.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Power Commission Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Power Commission Act*, Short title.  
1923.

**2.** Section 37 of *The Power Commission Act* as re-enacted by section 10 of *The Power Commission Act, 1916*, and amended by section 12 of *The Power Commission Act, 1917*, and section 15 of *The Power Commission Act, 1918*, is repealed and the following substituted therefor:—

**37.—(1)** The Commission may make rules and regulations, Regulations  
as to  
machinery,  
plant, etc.

- (a) Prescribing the design, mode of construction, installation, protection, use, maintenance, repair, extension, alteration, connection, disconnection of all installations, plant, machinery, apparatus, appliances, devices, fittings, materials and equipment and other works and matters employed, used, or to be used in the generation, transmission, distribution, supply or utilization of electrical power or for radio communication in Ontario;
- (b) Prohibiting the use in Ontario of any such works or matters until the same shall have been inspected and approved; Prohibiting  
use when un-  
authorized.
- (c) Prohibiting the advertising or display or offering for sale or other disposal, and the sale or other disposal publicly or privately of any such works or matters unless and until the same shall have been inspected and approved and prescribing the precautions to be taken in the advertising, etc., of such Prohibiting  
advertising  
or sale.

works or matters, even though approved, in order to prevent their use in such manner or under such conditions as would be likely to result in undue hazard to persons or property;

Inspection and test.

- (d) Providing for the inspection, approval and test of all such works and matters before being used for any such purposes;

Fees and inspection.

- (e) Prescribing the fees to be paid upon any such inspection, approval and test and the time and manner of payment thereof.

Specifications as to designs and tests.

- (2) The Commission may from time to time prepare and issue specifications governing the design, construction and test of any of the works and matters mentioned in subsection 1 and may from time to time amend or alter such specifications.

Ordering installations, alterations, etc.

- (3) The Commission may at any time issue such orders relating to work to be done in the installation, removal, alteration, repair, protection, connection or disconnection of any of the works or matters described in subsection 1 as the Commission may deem necessary for the safety of the public or of workmen or for the protection of property.

Appointment of inspectorial staff.

- (4) The Commission may appoint such inspectors and other qualified persons as may be deemed necessary for the purposes of inspection and test and of carrying out the rules and regulations and enforcing compliance with the specifications and orders made under the authority of this section or of any other provision of this Act.

Fees and fines and their application.

- (5) The fees prescribed by the Commission for inspection, approval and test shall be collected by the Commission and shall together with any fines imposed for breach of any of the provisions of this section or of any regulations or orders made thereunder, be applied in payment of the salaries, travelling and other expenses of the inspectors and other duly qualified persons, and the other expenses incurred in carrying out the provisions of this section, or of any regulation or order made under this section.

Powers of inspector.

- (6) Every inspector appointed under the authority of this section may at any reasonable hour enter upon, pass over or through any land, buildings or

premises for the purpose of carrying out the regulations and orders of the Commission and in the performance of the duties assigned to him.

- (7).—(a) Every municipal corporation or commission and every company, firm or individual molesting, disturbing or interfering with the inspector or other officer in the performance of his duty under this section shall incur a penalty of not less than \$10 nor more than \$500. <sup>Penalty for interference.</sup>
- (b) Every municipal corporation or commission, company, firm or individual refusing or neglecting to comply with the provisions of this section or with any rule or regulation made under this section shall incur a penalty of not less than \$10, and not more than \$50 and a further penalty of not less than \$10 and not more than \$50 for each and every separate day upon which such refusal or neglect is repeated or continued. <sup>Dis-obedience to Regulations.</sup>
- (c) Every municipal corporation, commission, company, firm or individual refusing or neglecting to comply with any order issued by the Commission under subsection 3 of this section shall incur a penalty of not less than \$100 and not more than \$500 and a further penalty of not less than \$100 and not more than \$500 for each and every separate day upon which such refusal or neglect is repeated or continued. <sup>Dis-obedience to order.</sup>
- (d) The penalties imposed by this section shall be recoverable under *The Ontario Summary Convictions Act* and shall be paid over to the Commission. <sup>Recovery of penalties.</sup>
- (8) This section shall not apply to any mine as defined under *The Mining Act of Ontario* save only as regards any dwelling house or other building not connected with or required for mining operations or purposes or used for the treatment of ore or mineral. <sup>Section not to apply to mines.</sup>

**3.** By-law No. B1343 of the Corporation of the Town of Brockville; By-laws Nos. 37 and 38 of the Corporation of the Town of Riverside; By-laws Nos. 20 and 21 of the Corporation of the Town of Tecumseh; By-laws Nos. 283 and 308 of the Corporation of the Town of Ford City; By-law No. 769 of <sup>By-laws confirmed.</sup>

the Corporation of the Village of Port Perry; By-laws Nos. 6, 6a, 7 and 9 of 1922 of the Corporation of the Village of Belle River; By-laws Nos. 43, 44 and 45 of the Corporation of the Village of St. Clair Beach; By-law No. 1096 of the Corporation of the Township of Scarborough; By-laws Nos. 934, 937 and 949 of the Corporation of the Township of Toronto; By-law No. 846 of the Corporation of the Township of Mariposa; By-law No. 14 of 1922 of the Corporation of the Township of Lancaster; By-law No. 782 of the Corporation of the Township of Saltfleet; By-law No. 305 of the Corporation of the Township of Oakland; By-law No. 4 of 1922 of the Corporation of the Township of Blandford; By-law No. 654 of the Corporation of the Township of West Oxford; By-law No. 847 of the Corporation of the Township of East Oxford; By-law No. 354 of the Corporation of the Township of Clinton; By-law No. 6 of 1922 of the Corporation of the Township of Usborne; By-law No. 720 of the Corporation of the Township of Rochester; By-law No. 951 of the Corporation of the Township of East Zorra; By-law No. 706 of the Corporation of the Township of Woolwich; By-law No. 139A of the Corporation of the Township of Waterloo; By-law No. 402 of the Corporation of the Township of Grantham; By-law No. 675 of the Corporation of the Township of Anderdon; By-law No. 117 of the Corporation of the Township of Kingston; By-law No. 1093 of the Corporation of the Township of Vaughan; By-law No. 627 of the Corporation of the Township of Lobo; By-law No. 1430 of the Corporation of the Township of Reach; By-law No. 583 of the Corporation of the Township of Sandwich West; By-law No. 505 of the Corporation of the Township of Sandwich South; By-law No. 615 of the Corporation of the Township of Easthope South; By-law No. 594 of the Corporation of the Township of Easthope North; By-law No. 889 of the Corporation of the Township of Maidstone; By-law No. 868 of the Corporation of the Township of Ekfrid; By-law No. 4 of 1922 of the Corporation of the Township of Hay; By-law No. 669 of the Corporation of the Township of Ancaster; By-law No. 739 of the Corporation of the Township of Blenheim; By-law No. 291 of the Corporation of the Township of Stephen; By-law No. 312 of the Corporation of the Township of Woodhouse; By-law No. 1001 of the Corporation of the Township of Bosanquet; By-law No. 471 of the Corporation of the Township of Oro; By-law No. 13 of the Corporation of the Township of Brant; By-law No. 776 of the Corporation of the Township of London; By-law No. 4 of 1922 of the Corporation of the Township of Moore; By-law No. 173 of the Corporation of the Village of Marmora; and By-law No. 292 of the Corporation of the Township of Gosfield South, and all debentures issued or to be issued or purporting to be issued under any of the said By-laws

which authorize the issue of debentures, are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof, respectively, and shall not be open to question upon any ground whatsoever, notwithstanding the requirements of *The Power Commission Act* or the amendments thereto, or any other Act of this Legislature.

**4.** This Act shall come into force and take effect on the <sup>Commence-</sup>  
day upon which it receives the Royal Assent. <sub>ment of Act.</sub>





No. 186.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Power Commission  
Act.

1st Reading,	17th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. CARMICHAEL.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Ontario Game and Fisheries Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Game and Fisheries Amendment Act, 1923.* Short title.

**2.** Section 9 of *The Ontario Game and Fisheries Act*, as re-enacted by section 5 of *The Ontario Game and Fisheries Act, 1916*, and amended by section 36 of *The Statute Law Amendment Act, 1917*, section 3 of *The Ontario Game and Fisheries Act, 1919*, section 4 of *The Ontario Game and Fisheries Act, 1920*, and section 2 of *The Ontario Game and Fisheries Act, 1921*, is further amended by adding thereto the following subsection:

(5) No person shall act as guide for hire for hunting or fishing parties, except under the authority of a Guide's license. license.

**3.**—(1) Clause *dd* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act* as enacted by subsection 2 of section 3 of *The Ontario Game and Fisheries Act, 1921*, is repealed and the following substituted therefor:

(*dd*) Any pheasant, prairie fowl or hungarian partridge before the 5th day of November, 1926, provided, however, that two male pheasants may be taken in the counties of Lincoln and Welland between sunrise and sunset on the 5th day of November, 1923, but pheasants so taken must be disposed of either by mounting or as an article of food before the 15th day of November, 1923. Pheasant or prairie fowl.

Rev. Stat.,  
c. 262, s. 10,  
subs. 1, c1. e,  
amended. (2) Clause *e* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act* as amended by section 6 of *The Ontario Game and Fisheries Amendment Act, 1916*, and subsection 3 of section 3 of *The Ontario Game and Fisheries Act, 1921*, is further amended by striking out the words "15th day of October," and substituting therefor the words "30th day of November," so that the clause will now read as follows:

Woodcock.

(e) Any woodcock except from the 15th day of September to the 30th day of November, both days inclusive.

1920, c. 97,  
s. 5, subs. 5,  
repealed. (3) Clause *f* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act* as re-enacted by subsection 5 of section 5 of *The Ontario Game and Fisheries Act, 1920*, is repealed and the following substituted therefor:

Quail,  
wild turkey.

(f) No quail, wild turkey, black or grey squirrel before the 1st day of November, 1924.

Rev. Stat.,  
c. 262, s. 11,  
subs. 5; 1921,  
c. 87, s. 4,  
amended. 4. Subsection 5 of section 11 of *The Ontario Game and Fisheries Act*, as re-enacted by section 4 of *The Ontario Game and Fisheries Act, 1921*, is amended by striking out the word "section" in the first line, and substituting therefor the words "Act or in any of the regulations made thereunder," and by adding at the end of the said subsection the words "provided further that muskrat found dead by owners of private property during the months of January and February may pelt such animals as are found on their own premises, and forward the pelts to the Deputy Minister for examination, and the disposition or disposal of such pelts shall be at the discretion of the Deputy Minister," so that the subsection will now read as follows:

Permit re-  
quired for  
unprimed  
skins.

(5) Nothing in this Act or in any of the regulations made thereunder shall apply to any person destroying any fur-bearing animals in defense or preservation of his property by any means at any time, but skins so taken, or animals in respect of which there is a close season, shall not be offered for sale or barter during the close season, except under the authority of a permit issued by the Deputy Minister, and any fur dealer possessing such skins must hold the permit so issued and forward same to the Department when applying for a permit to ship out of the Province, or to dress or tan the skins, provided further that muskrat found dead by owners of private property during the months of January and February may pelt such animals as are found on their own premises, and forward the pelts to the Deputy Minister for

examination, and the disposition or disposal of such pelts shall be at the discretion of the Deputy Minister.

5. Section 11 of *The Ontario Game and Fisheries Act* is amended by adding thereto the following subsection: Rev. Stat.,  
c. 262, s. 11,  
amended.

- (9) No person shall molest or destroy a raccoon den or its usual place of habitation. Raccoon  
dens.

6. Subsection 1 of section 21 of *The Ontario Game and Fisheries Act* as re-enacted by section 10 of *The Ontario Game and Fisheries Act, 1919*, is amended by striking out the words "except as may be authorized by special license" in the sixth and seventh lines and by substituting therefor the words "during the regular close season for the taking of moose, deer or caribou, other than may be authorized by a permit issued by the Deputy Minister," so that the subsection will now read as follows: Rev. Stat.,  
c. 262, s. 21,  
subs. 1, 1919,  
c. 72, s. 10,  
amended.

- (1) No person employed in any lumber camp or in connection with the construction or maintenance of any railway or public work shall have in possession, in the vicinity of such camp, railway or other public work any gun or other fire-arm during the regular close season for the taking of moose, deer or caribou, other than may be authorized by a permit issued by the Deputy Minister. Persons em-  
ployed in  
camps, etc.,  
not to have  
fire-arms.

7. Subsection 1 of section 45 of *The Ontario Game and Fisheries Act* is amended by adding after the word "caribou" in the fifth line, the words "one bear," and by adding at the end of the said subsection the words, "provided, however, that bear or bear pelts can only be exported in accordance with the provisions of section 11b," so that the subsection will now read as follows: Rev. Stat.,  
c. 262, s. 45,  
subs. 1, 1919,  
amended.

- (1) A non-resident entitled to hunt or shoot in Ontario by virtue of a license under this Act, may export in any one open season game actually and lawfully killed by him, as follows: One deer, one bull-moose, reindeer or caribou, one bear, 100 ducks, provided, however, that bear or bear pelts can only be exported in accordance with the provisions of section 11b of this Act. Exporting  
deer, etc., by  
holders of  
non-resident  
licenses.

8.—(1) Clause *a* of subsection 1 of section 48 of *The Ontario Game and Fisheries Act* as amended by section 23 of *The Ontario Game and Fisheries Amendment Act, 1916*, and section Rev. Stat.,  
c. 262, s. 48,  
subs. 1, cl.  
a, amended.

12 of *The Ontario Game and Fisheries Act, 1921*, is repealed and the following substituted therefor:

To non-residents.

- (a) A person not resident in Ontario to hunt and shoot, and the fees for such licenses shall be,—
- \$10—for “Game Bird” license, to British subjects residing in Canada.
- \$25—for “General” hunting license, to British subjects residing in Canada.
- \$25—for “Game Bird” license, to non-British subjects, or to British subjects residing outside of Canada.
- \$50—for “General” hunting license, to non-British subjects, or to British subjects residing outside of Canada.

Rev. Stat.,  
c. 262, s. 48,  
subs. 1, cl. d,  
repealed.

(2) Clause *d* of subsection 1 of section 48 of *The Ontario Game and Fisheries Act*, as amended by section 5 of *An Act to amend the Ontario Game and Fisheries Act, 1914*, is repealed and the following substituted therefor:

Non-residents not to take fur-bearing animals.

- (e) A person who is not a resident British subject shall not be eligible for or be in possession of a license to hunt and trap fur-bearing animals, provided, however, that a non-resident hunting license will permit the holder thereof to take one bear.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.







No. 187.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Ontario Game  
and Fisheries Act.

1st Reading,	17th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. MULLS.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Adolescent School Attendance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Adolescent School Attendance Act, 1923*. Short title.

**2.** Section 3 of *The Adolescent School Attendance Act* is 1919, c. 78, s. 3, amended. amended by adding thereto the following subsection:

(3) The obligation to attend school under this section shall not apply to any adolescent whose parents or guardians reside in a rural school section and whose services are required in the household or on the farm of his parents or guardians, provided that such adolescent has completed, as certified by the principal of the school and the local school inspector, the course of study of the public and separate schools to the extent that instruction in this course is given in the section in which his parents or guardians reside, or has been in regular attendance at school for at least three months during the year and adolescents exempt under this section shall not be required to obtain home permits as provided in subsection 1 of section 4. Exceptions in rural school sections.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 188.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Adolescent School  
Attendance Act.

1st Reading,	19th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. GRANT.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Workmen's Compensation Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Workmen's Compensation Act*, 1923. Short title.

**2.** Clause *a* of subsection 1 of section 3 of *The Workmen's Compensation Act* is amended by striking out the word "seven" 1914, c. 25, s. 3, subs. 1, amended. in the second line and substituting therefor the word "three," so that the clause will now read as follows:

(a) Does not disable the workman for the period Exceptions. of at least three days from earning full wages at the work at which he was employed; or

**3.** Clause *c* of subsection 1 of section 33 of *The Workmen's Compensation Act* as amended by subsection 1 of section 6 of *The Workmen's Compensation Act*, 1917, and clause *b* of subsection 1 of section 5 of *The Workmen's Compensation Act*, 1919, section 4 of *The Workmen's Compensation Act*, 1920, and by section 3 of *The Workmen's Compensation Act*, 1922, 1914, c. 25, s. 33, subs. 1, amended. (1917, c. 34, s. 6, subs. 1; 1919, c. 34, s. 5, subs. 1, cl. b; 1920, c. 43, s. 4; 1922, c. 56, s. 3) amended. is further amended by striking out the figures "\$10" and by substituting therefor the figures "\$15" and by striking out the figures "\$15" and substituting therefor the figures "\$20," so that the clause will now read as follows:

(c) Where the dependants are a widow or an invalid husband and one or more children, a monthly payment of \$40, with an additional monthly payment of \$15, to be increased upon the death of the widow or invalid husband to \$20 for each child under the age of 16 years.

1914, c. 25,  
s. 33, subs. 1,  
cl. d; (1919,  
c. 34, s. 5;  
1920, c. 43,  
s. 5),  
amended.

4. Clause *d* of subsection 1 of section 33 of *The Workmen's Compensation Act* as amended by section 5 of *The Workmen's Compensation Act, 1919*, and section 5 of *The Workmen's Compensation Act, 1920*, is further amended by striking out the figures "\$15" and substituting therefor the figures "\$20," so that the clause will now read as follows:

- (d) Where the dependants are children, a monthly payment of \$20 to each child under the age of 16 years.

1914, c. 25,  
s. 33, subs. 5;  
(1915, c. 24,  
s. 14; 1920,  
c. 43, s. 8),  
amended.

5. Subsection 5 of section 33 of *The Workmen's Compensation Act* as amended by section 14 of *The Workmen's Compensation Act, 1915*, and section 8 of *The Workmen's Compensation Act, 1920*, is further amended by striking out the figures "66 2/3" and substituting therefor the figures "100," so that the subsection will now read as follows:

Compensation not to exceed percentage of wages in certain cases.

- (5) Exclusive of the expenses of burial of the workman, the compensation payable as provided by subsection 1 shall not in any case exceed 100 per cent. of the average monthly earnings of the workman mentioned in section 37, and if the compensation payable under that subsection would in any case exceed that percentage it shall be reduced accordingly, and where several persons are entitled to monthly payments the payments shall be reduced proportionately.

Effect of increase.

6. The increase in the amount of monthly payments provided for by sections 3, 4 and 5 of this Act shall apply to all pension payments accruing after the coming into effect of this Act, whether the accident happened before or after that date and whether the award of compensation has been heretofore or is hereafter made, but nothing in this section contained shall entitle any person to claim additional compensation for any period prior to the coming into effect of this Act.

1917, c. 34,  
s. 9; 1919,  
c. 34, s. 7;  
1920, c. 43,  
s. 13,  
amended.

7. Subsection 1 of section 44a of *The Workmen's Compensation Act* as enacted by section 9 of *The Workmen's Compensation Act, 1917*, and amended by section 7 of *The Workmen's Compensation Act, 1919*, and section 13 of *The Workmen's Compensation Act, 1920*, is further amended by striking out the word "seven" in the third line and substituting therefor the word "three" so that the subsection will now read as follows:

Medical and surgical aid during first month of disability.

- (1) Every workman entitled to compensation under this Part, or who would have been so entitled had he been disabled for three days, shall be entitled to

such medical and surgical aid and hospital and skilled nursing services as may be necessary as a result of the injury, and shall be entitled to such artificial member or members and apparatus as may be necessary as a result of the injury and to have the same kept in repair for a period of one year.

**8.** This Act shall come into force on the day upon which <sup>Commence-</sup>  
it receives the Royal Assent. <sub>ment of Act.</sub>

No. 189.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Workmen's  
Compensation Act.

1st Reading,	19th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. ROLLO.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Inquiries as to the Grain Trade in Ontario.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Grain Trade Inquiry Act*, Short title.  
1923.

**2.** The Lieutenant-Governor in Council may direct that Power to direct inquiry.  
an inquiry be made into any matter directly or indirectly connected with or affecting the grain trade in Ontario by any person or persons named for that purpose by the Governor-General in Council and may direct that the person or persons conducting such inquiry shall, for the purposes thereof, have all the powers which may be conferred upon a commissioner appointed under *The Public Inquiries Act*.

**3.** This Act shall come into force on the day upon which it Commence-  
ment of Act.  
receives the Royal Assent.

No. 190

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Inquiries as to the  
Grain Trade in Ontario.

1st Reading,	19th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DUFFIN.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act extending the provisions of The Bills  
of Sale and Chattel Mortgages Act to  
Assignments of Book Debts.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Assignment of Book Debts Act, 1923.* Short title.

**2.** *The Bills of Sale and Chattel Mortgages Act* is amended Rev. Stat.  
c. 135,  
amended. by adding thereto the following section:—

**7a.**—(1) Every assignment by any person engaged in any trade or business, of his existing or future book debts or accounts or any class or part thereof, shall be in writing, and such writing shall be a conveyance under the provisions of this Act, and shall be accompanied by an affidavit of a witness thereto of the due execution thereof and an affidavit of the assignee or one of the several assignees or the agent of such assignee or assignees that the assignment is *bona fide* and for good consideration as set forth in the assignment, and not for the purpose of holding or enabling the assignee to hold the said debts or accounts as against the creditors of the assignor, and such assignment and affidavit shall be registered as hereinafter provided, otherwise the assignment shall be absolutely null and void as against the creditors of the assignor and as against subsequent purchasers or mortgagees of such debts or accounts or any part thereof in good faith. Registration  
of Assign-  
ments of  
book debts.

(2) "Assignment" in this section shall include all assignments by way of security and all other mortgages or charges upon book debts or accounts. "Assign-  
ment"  
defined.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

No. 191.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act extending the provisions of The  
Bills of Sale and Chattel Mortgages  
Act to Assignments of Book Debts.

1st Reading,	20th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act for raising Money on the credit of the Consolidated Revenue Fund.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. This Act may be cited as *The Ontario Loan Act, 1923.* Short title.
2. The Lieutenant-Governor in Council is hereby author- Loan of  
ized to raise by way of loan a sum of money not exceeding \$35,000,000  
Thirty-five Million Dollars (\$35,000,000) for all or any of authorized.  
the purposes following, that is to say: For the public service,  
for works carried on by the commissioners on behalf of  
Ontario, for the covering of any debt of Ontario on open  
account, for paying any floating indebtedness of Ontario,  
for the carrying on of the public works authorized by the  
Legislature and for redeeming in whole or in part the out-  
standing debentures of the Province of Ontario that have  
been issued free of succession duty.
3. The aforesaid sum of money may be borrowed for Terms to be  
any term or terms not exceeding forty years, at such rate as fixed by  
may be fixed by the Lieutenant-Governor in Council and Lieutenant-  
shall be raised upon the credit of the Consolidated Revenue Governor.  
Fund of Ontario, and shall be chargeable thereupon.
4. The Lieutenant-Governor in Council may provide Sinking  
for a special sinking fund with respect to the issue herein fund.  
authorized, and such sinking fund may be at a greater rate  
than the one per centum per annum specified in subsection 2  
of section 4 of *The Provincial Loans Act* as amended by Rev. Stat.  
section 2 of *The Provincial Loans Act, 1923.* c. 21, s. 4,  
subs. 2.
5. This Act shall come into force on the day upon which Commence-  
it receives the Royal Assent. ment of Act.

No. 192.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act for raising Money on the credit  
of the Consolidated Revenue Fund.

1st Reading,	23rd April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. SMITH.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Hotels.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Hotels Act, 1923*. Short title.

### PART I

2. In this Act:—

Interpretation

- (a) "Board" shall mean Board of Hotel Commissioners appointed under this Act; "Board."
- (b) "Hotel-keeper" shall mean a person licensed by the Board to carry on a hotel business in Ontario; "Hotel-keeper."
- (c) "Inspector" shall mean an inspector appointed for the carrying out of the provisions of this Act; "Inspector."
- (d) "Minister" shall mean that member of the executive council for the time being charged with the administration of this Act. "Minister."

3. Every building or other structure kept, used, maintained, advertised or held out to the public to be a place where food is served and sleeping accommodation is offered, for pay, to transient guests, in which six or more bedrooms are used for the accommodation of such guests, and having one or more dining rooms or cafes, (such sleeping accommodation and dining rooms or cafes being situate in the same building, or in connected buildings) shall, for the purpose of this Act, be deemed to be a hotel. Hotel.—definition of

4. There shall be an officer to be known as the Commissioner of Hotels who shall be appointed by the Lieutenant-Governor in Council and whose duty it shall be to administer this Act under the direction of the Minister. Commissioner of Hotels.

Board of  
Commissioners,—  
establish-  
ment of.

**5.**—(1) There shall be established a Board of Hotel Commissioners which shall consist of the Commissioner of Hotels, who shall be Chairman of the Board, and four other persons to be appointed by the Lieutenant-Governor in Council.

Recom-  
mendations  
as to ap-  
pointment to  
Board.

(2) Any incorporated or recognized association of hotel-keepers, commercial travellers or automobilists may recommend to the Lieutenant-Governor in Council the names of persons representing any such association for appointment to the membership of the Board but nothing herein contained shall affect the authority of the Lieutenant-Governor in Council to make any appointment to the Board which may be deemed proper.

Meetings.

(3) The Board shall hold meetings from time to time at the call of the Chairman or upon the direction of the Minister.

Quorum.

(4) Any three members of the Board shall constitute a quorum and a majority of those present at a meeting shall decide any question that shall properly come before the Board.

Appoint-  
ment of  
officers,  
clerks, etc.

(5) The Lieutenant-Governor in Council may appoint such inspectors, officers, clerks and servants of the Board as may be deemed necessary.

Board to  
act as  
bureau of  
standardiza-  
tion and  
research.

**6.** The Board shall operate as a bureau of standardization and research for the benefit of hotels in Ontario and the travelling public and shall have power to classify hotels, to issue hotel blue-books and propaganda designed to develop and encourage tourist traffic, and to call together in consultation from time to time hotel-keepers' associations, commercial travellers' associations, motor leagues and other organizations interested in the improvement of hotel service and accommodation.

Power of  
Board to  
make regula-  
tions.

**7.** Subject to the approval of the Lieutenant-Governor in Council, the Board may make regulations:—

- (a) governing the issue, grading and transfer of licenses to hotels, prescribing the terms and conditions thereof, the period for which the same shall be in force, and the fees payable in respect thereof;
- (b) respecting the suspension and revocation of licenses and the causes therefor;

- (c) providing for the procedure of the Board and the form of licenses and documents to be issued by it;
- (d) prescribing the duties of inspectors and other officers, clerks and servants appointed under the provisions of this Act;
- (e) requiring hotel-keepers to furnish such information as may be deemed necessary for the proper carrying out of the provisions of this Act; and
- (f) generally for the better carrying out of the provisions of this Act.

**8.** The expenses of the administration of this Act and the remuneration of the Chairman and other members of the Board, and of the inspectors, officers, clerks and servants of the Board, shall be paid out of such sums as may be voted by the Assembly and appropriated for that purpose by the Legislature. Expenses,—how paid.

## PART II

**9.** From and after the first day of November, 1923, every person who carries on a hotel business shall be required to be the holder of a license issued by the Board. Licenses.

**10.** A hotel-keeper shall be entitled to sell within or on the premises of such hotel non-intoxicating beverages, cigars, cigarettes and tobacco, and to conduct an ice cream or general restaurant or cafe, without further or other license. Right to sell cigars, tobacco, etc.

**11.** The corporation of any municipality may enter into an agreement with any hotel-keeper for the establishment and maintenance of comfort stations in connection with his hotel for the convenience of the travelling public and for the remuneration by the corporation of such hotel-keeper. Comfort stations.

**12.** The council of any municipality may, with the approval of the Board, by by-law, grant to any hotel-keeper within the municipality total or partial exemption from municipal taxation, except school taxes and local improvement rates. Municipal by-laws.

**13.** Every person, other than a hotel-keeper who holds out to the public by signs, advertisements or otherwise, that any building is a hotel or inn, shall be guilty of an offence and liable to a penalty of not less than \$20 and not more than \$100. Exclusive use of words "hotel" or "inn" by licensed hotels.

Carrying on  
hotel busi-  
ness without  
a license.

**14.** Any person who carries on a hotel business without a license issued by the Board and any hotel-keeper who contravenes any of the regulations made under the authority of this Act, shall be guilty of an offence and liable to a penalty of not less than \$50 and not more than \$200.

Penalties,—  
how recover-  
able. Rev.  
stat. c. 90.

**15.** The penalties imposed by this Act shall be recoverable under *The Ontario Summary Convictions Act*.

1916, c. 50,  
s. 146; 1917,  
c. 50, s. 48;  
1918, c. 40,  
s. 31; 1920,  
c. 78, s. 17  
repealed.

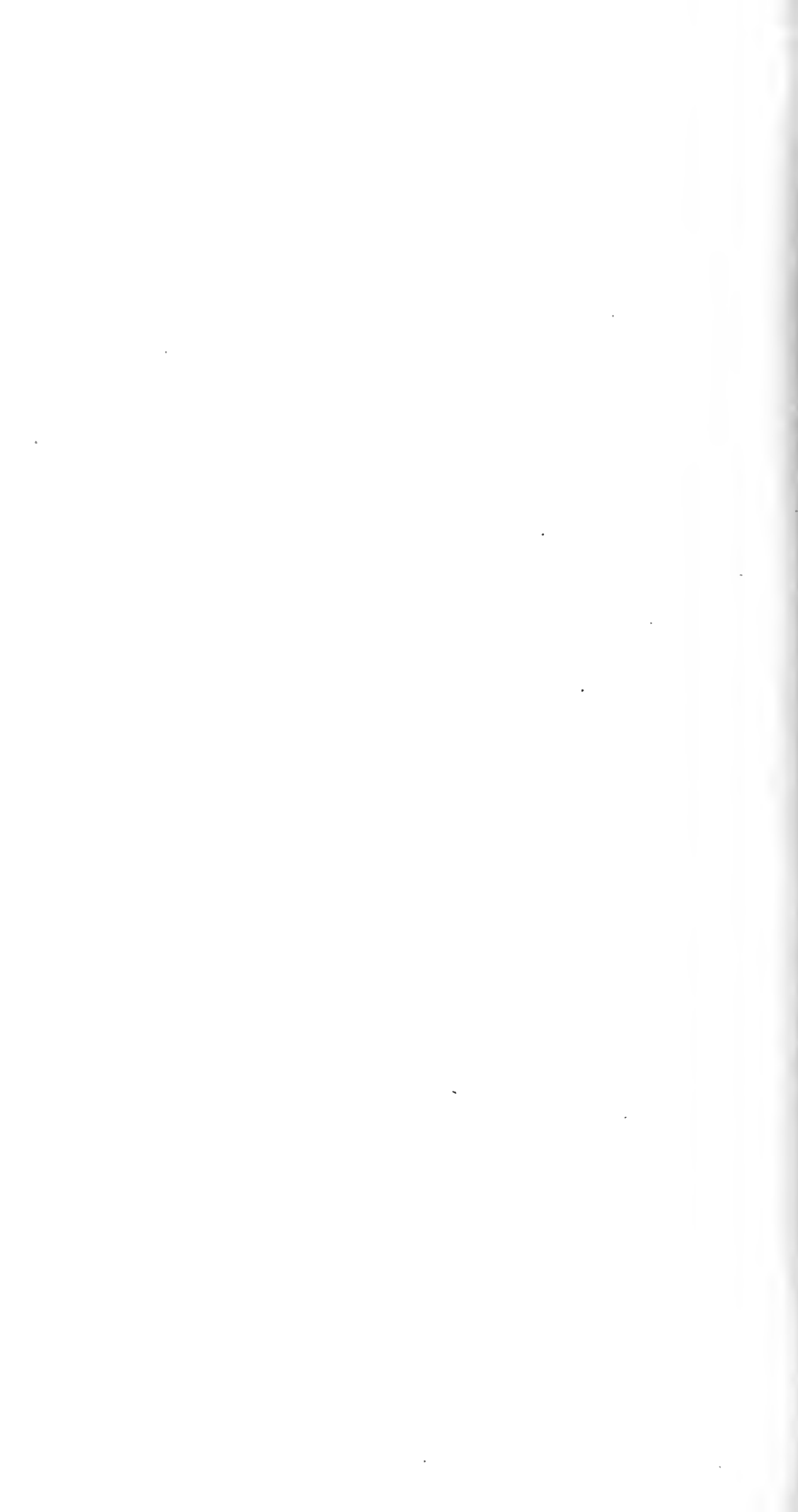
**16.** On, from and after the first day of November, 1923, section 146 of *The Ontario Temperance Act*, section 48 of *The Ontario Temperance Amendment Act, 1917*, section 31 of *The Ontario Temperance Amendment Act, 1918*, and section 17 of *The Ontario Temperance Amendment Act, 1920*, shall be deemed to be repealed and all licenses issued thereunder shall expire.

Commence-  
ment of  
Act.

**17.** This Act shall come into force and take effect on a day to be named by proclamation of the Lieutenant-Governor in Council.









No. 193.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Hotels.

1st Reading,	24th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## The Municipal Amendment Act, 1923.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Clause *s* of subsection 1 of section 53 of *The Consolidated Municipal Act, 1922*, is amended by adding at the end thereof the words “but this clause shall not apply to a person who is a tenant holding under a lease which provides that the landlord shall pay the taxes and who qualifies in respect of land other than that covered by such lease.” 1922, c. 72, s. 53, subs. 1, cl. s, amended. Disqualifi- cation.

**2.** Subsection 2 of section 53 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following as clause *h*: 1922, c. 72, s. 53, subs. 2, amended.

(*h*) A person who has entered into an agreement of sale with a Municipal Housing Commission or any assignee of such person.

**3.** Subsection 1 of section 193 of *The Consolidated Municipal Act, 1922*, is repealed and the following substituted therefor:— 1922, c. 72, s. 193, subs. 1, repealed.

193.—(1) The first meeting of every council, except a county council, shall be held on the second Monday in January of the year for which the council is elected, at eleven o'clock in the forenoon; and the first meeting of every county council shall be held on the fourth Tuesday of the same month, at two o'clock in the afternoon, but the council of any county may, by by-law, provide that the first meeting shall be held at half-past seven o'clock in the evening of such fourth Tuesday or at two o'clock in the afternoon or at half-past seven o'clock in the evening of the next preceding Monday. First meet- ing of council.

**4.** Subsection 13 of section 237 of *The Consolidated Municipal Act, 1922*, is amended by inserting after the words 1922, c. 72, s. 237, subs. 13, amended.

"shall not apply" in the first line the words "to a township having a population of not less than 15,000 or " so that the subsection will read as follows:—

Printing and  
publishing  
financial  
statement.

- (13) The next preceding five subsections shall not apply to a township having a population of not less than 15,000 or to a township municipality in a provisional judicial district, or in the electoral district of North Renfrew, or in the Provisional County of Haliburton.

1922, c. 72,  
amended.

5. *The Consolidated Municipal Act, 1922*, is amended by adding after section 247 the following as section 247a:—

Retiring  
allowances.

- 247a. Instead of granting a sum to any officer who has been in the service of the corporation for at least twenty years, and who, while in such service, has become incapable, through illness or old age, of efficiently discharging the duties of his office, under the provisions of the preceding section, a council may grant an annual retiring allowance to any such officer during the remaining years of his life not exceeding three-fifths of his average annual salary for the next preceding three years of his service on ceasing to hold his office and such allowance may be payable weekly, semi-monthly or otherwise as the council may deem proper.

1922, c. 72,  
amended.

6. *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following as section 394a:—

Place of  
polling.

- 394a. The council of a township in which an urban municipality is situate, may fix the place of polling for any adjoining subdivision within the limits of such urban municipality.

1922, c. 72,  
s. 398, par. 27  
amended.

7. Paragraph 27 of section 398 of *The Consolidated Municipal Act, 1922*, is amended by inserting after the word "hospitals" in the third line the words "in any municipality" and by striking out all the words after the word "injuries" in the fourth line thereof, so that the paragraph will read as follows:—

27. For granting aid to any incorporated society or any association of individuals for the erection, establishment, maintenance or equipment of public hospitals in any municipality for the treatment of persons suffering from disease or from injuries.

1922, c. 72,  
s. 398a,  
par. 2,  
repealed.

8. Paragraph 2 of section 398a of *The Consolidated Municipal Act, 1922*, is hereby repealed and the following substituted therefor:—

2. For exempting from taxation except for local improvement and school purposes for a period not exceeding ten years any memorial home or club-house for nursing sisters, officers and men who were on active service during the past war with the naval, military or air forces of Great Britain and her Allies and the lands used in connection therewith or any athletic grounds owned by or vested in trustees on behalf of any organization or association of such nursing sisters, officers and men; provided that such buildings and lands shall be exempt only while actually used and occupied for the purposes of a memorial home, club-house or athletic grounds. Exemption from taxation.

**9.** Paragraph 6 of section 417 of *The Consolidated Municipal Act, 1922*, is repealed and the following substituted therefor:— 1922, c. 72, s. 417, par. 6, repealed.

6. For licensing, regulating and controlling all places where food stuffs intended for human consumption are made for sale, offered for sale, stored or sold. Licensing food shops.

(a) The license fee shall not exceed the sum of \$1 for one year. Fees.

**10.** *The Consolidated Municipal Act, 1922*, is amended by adding the following as section 460a:— 1922, c. 72, amended.

- 460a. The approval by the council of a municipal corporation of a plan under *The Planning and Development Act* shall not be deemed to be an assumption for public use by the corporation of the highways shown on the plan so as to render the corporation liable for repair, or from damages resulting from non-repair within the meaning of section 460. Effect of approval of plan.

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No. 194.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

The Municipal Amendment Act, 1923.

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1st Reading,	25th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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MR. NIXON.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## The Assessment Amendment Act, 1923.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Subsection 3a of section 10 of *The Assessment Act* as enacted by subsection 2 of section 7 of *The Assessment Amendment Act, 1922*, is amended by inserting at the end thereof the following words: Rev. Stat. 1914, c. 195, s. 10, subs. 3a amended.

“The provisions of this subsection shall enure to the benefit of any person with respect to a business tax payable by him in the year 1923 on an assessment made in 1922, and for that purpose such person may at any time during the year 1923 apply to the Court of Revision for a reduction of such business tax and the Court of Revision may reduce such business tax in conformity with the provisions of this subsection.”

so that the subsection when so amended will read as follows:

(3a) Where a manufacturer also carries on the business of a retail merchant he shall be assessed as a retail merchant in respect of any premises or of any portion of any premises which are occupied and used by him solely and only for the purpose of such business. The provisions of this subsection shall enure to the benefit of any person with respect to a business tax payable by him in the year 1923 on an assessment made in 1922, and for that purpose such person may at any time during the year 1923 apply to the Court of Revision for a reduction of such business tax and the Court of Revision may reduce such business tax in conformity with the provisions of this subsection. Manufacturer who is also retailer.

2. Subsection 1 of section 56 of *The Assessment Act* is repealed and the following substituted therefor:— Rev. Stat. 1914, c. 195, s. 56, subs. 1, repealed.

Time for  
taking the  
assessment  
and revising  
the rolls  
in cities,  
etc.

56.—(1) In cities, towns, villages and townships, the council instead of being bound by the periods above mentioned for taking the assessment, and by the periods named for the revision of the rolls by the Court of Revision, and by the County Judge, may pass by-laws for regulating the above periods, as follows, that is to say:—For taking the assessment between the 1st day of May and the 30th day of September, the rolls being returnable in such case to the city, town, village or township clerk on the 1st day of October, and in such case the time for closing the Court of Revision shall be the 15th day of November, and for final return by the Judge of the County Court, the 15th day of December, and the assessment so made and concluded may be adopted by the council of the following year as the assessment on which the rate of taxation for said following year shall be fixed and levied; and the taxes for such following year shall in such case be fixed and levied upon such assessment.



No. 195.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

The Assessment Amendment Act, 1923.

1st Reading,	25th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. NIXON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Hospitals and Charitable Institutions Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Hospitals and Charitable Institutions Amendment Act, 1923*. Short title.

2. Subsection 1a of section 23 of *The Hospitals and Charitable Institutions Act* as enacted by section 46 of *The Statute Law Amendment Act, 1916*, is repealed. 1916, c. 24, s. 46, repealed.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 196.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Hospitals and  
Charitable Institutions Act.

1st Reading,	25th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. COOPER (Welland).

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The County Courts Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The County Courts Amendment Act, 1923.* Short title.

**2.** Section 16 of *The County Courts Act* is amended by adding thereto the following subsection:— Rev. Stat. c. 59, s. 16, amended.

(2) The Lieutenant-Governor in Council may, where it is deemed necessary or expedient, direct that the sittings provided for in subsection 1 shall be held at some other time and in some other place than the time and place specified in the said subsection 1. Change of time and place of sittings.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 197.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The County Courts  
Act.

1st Reading,	26th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. LANG.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act respecting the City of Toronto.

**W**HEREAS the Corporation of the City of Toronto has Preamble.  
by petition prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is ex-  
pedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

**1.** The Corporation of the City of Toronto may enter Authority to  
enter into  
agreement  
with  
Canadian  
National  
Railways.  
into an agreement to acquire and may acquire under existing  
agreements or otherwise, from the Canadian National Rail-  
ways or from the owner thereof

(a) The ties, poles, rails, wires and all other property  
and effects, real and personal, necessary to be used  
in connection with the working of the electric  
railways formerly owned and operated by the  
Toronto Suburban Railway Company upon the  
following highways in the City of Toronto and in  
the Township of York, namely:—

- (i) Dundas Street, from Keele Street to the  
easterly limit of the Township of Etobicoke,  
including the loop at Lambton Mills;
- (ii) Keele Street, from Dundas Street to St.  
Clair Avenue; thence by way of Weston  
Road to the northern limits of the City of  
Toronto;
- (iii) Evelyn Crescent, extending southerly from  
Dundas Street by way of Fairview Avenue to  
Glenholme Road;
- (iv) Bathurst Street, from Bridgman Avenue to  
Davenport Road, thence westerly on Daven-  
port Road to Ford Street, thence northerly

on Ford Street to St. Clair Avenue, thence westerly on St. Clair Avenue to Keele Street;

- (b) The posts, wires, equipment and property necessary to be used for the supply of electricity for light and power within any part of the said City,

and all the rights, powers, privileges and franchises granted to the Toronto Suburban Railway Company under an agreement dated the eleventh day of November, 1899, between the Town of Toronto Junction and the Toronto Suburban Street Railway Company, Limited, set forth as Schedule "B" to an Act passed in the sixty-third year of the reign of Her late Majesty Queen Victoria, chaptered 103, or granted to the said Company under an agreement dated the fourth day of September, 1899, between the said Company and the Township of York set forth as Schedule "B" to an Act passed in the said year of the reign of Her said Majesty, chaptered 124, or granted to any predecessor of the said Company under any agreement referred to in either of the said agreements or under any other agreement or otherwise.

Authority to  
borrow  
\$200,000 on  
debentures.

**2.** The said Corporation may without obtaining the assent of the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of "City of Toronto General Consolidated Loan Debentures" payable in twenty years from the date of the issue thereof and bearing interest at such rate as the Council of the said Corporation may determine to raise the sum of \$200,000 to carry out the acquisition of the said properties, rights, franchises, privileges and effects hereinbefore referred to.

Toronto  
suburban  
franchises to  
terminate.

**3.** After the said Corporation shall have acquired the properties, effects, rights, privileges and franchises referred to in section 1 of this Act all the said rights, privileges, powers and franchises granted under the said agreements or otherwise to the Toronto Suburban or its predecessors shall cease and terminate.

Commence-  
ment of Act.

**4.** This Act shall take effect from and after the day upon which the same receives the Royal Assent.



No. 198.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of Toronto.

1st Reading,	26th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. THOMPSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the City of Toronto.

**W**HEREAS the Corporation of the City of Toronto has Preamble.  
by petition prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is ex-  
pedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

**1.** The Corporation of the City of Toronto may enter Authority to  
enter into  
agreement  
with  
Canadian  
National  
Railways.  
into an agreement to acquire and may acquire under existing  
agreements or otherwise, from the Canadian National Rail-  
ways or from the owner thereof

(a) The ties, poles, rails, wires and all other property  
and effects, real and personal, necessary to be used  
in connection with the working of the electric  
railways formerly owned and operated by the  
Toronto Suburban Railway Company upon the  
following highways in the City of Toronto and in  
the Township of York, namely:—

- (i) Dundas Street, from Keele Street to the  
easterly limit of the Township of Etobicoke,  
including the loop at Lambton Mills;
- (ii) Keele Street, from Dundas Street to St.  
Clair Avenue; thence by way of Weston  
Road to the northern limits of the City of  
Toronto;
- (iii) Evelyn Crescent, extending southerly from  
Dundas Street by way of Fairview Avenue to  
Glenholme Road;
- (iv) Bathurst Street, from Bridgman Avenue to  
Davenport Road, thence westerly on Daven-  
port Road to Ford Street, thence northerly

on Ford Street to St. Clair Avenue, thence westerly on St. Clair Avenue to Keele Street;

- (b) The posts, wires, equipment and property necessary to be used for the supply of electricity for light and power within any part of the said City,

and all the rights, powers, privileges and franchises granted to the Toronto Suburban Railway Company under an agreement dated the eleventh day of November, 1899, between the Town of Toronto Junction and the Toronto Suburban Street Railway Company, Limited, set forth as Schedule "B" to an Act passed in the sixty-third year of the reign of Her late Majesty Queen Victoria, chaptered 103, or granted to the said Company in respect to Davenport Road and that part of Bathurst Street and Dundas Street referred to in an agreement dated the fourth day of September, 1899, between the said Company and the Township of York set forth as Schedule "B" to an Act passed in the said year of the reign of Her said Majesty, chaptered 124, or granted to any predecessor of the said Company under any agreement referred to in either of the said agreements or under any other agreement or otherwise.

Authority to borrow \$200,000 on debentures.

2. The said Corporation may without obtaining the assent of the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of "City of Toronto General Consolidated Loan Debentures" payable in twenty years from the date of the issue thereof and bearing interest at such rate as the Council of the said Corporation may determine to raise the sum of \$200,000 to carry out the acquisition of the said properties, rights, franchises, privileges and effects hereinbefore referred to.

Certain rights preserved.

3. Nothing in this Act contained shall in any way affect or alter any rights the Corporation of the City of Toronto may have as successor to the Corporation of the Town of Toronto Junction or the Corporation of the Township of York in respect to the said agreements.

Commencement of Act.

4. This Act shall *come into force and* take effect *on* the day upon which *it* receives the Royal Assent.



No. 198.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the City of Toronto.

1st Reading,	26th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

*(Reprinted as amended by the Private  
Bills Committee).*

MR. THOMPSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act respecting the Assignment of Book Debts.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Assignment of Book Debts Act, 1923*. Short title.

2. In this Act,—

Interpre-  
tation.

(a) "Assignment" shall include every assign-  
ment by way of security and every mortgage  
or other charge upon book debts or accounts; "Assign-  
ment."

(b) "Good consideration" shall include a past,  
present or future advance of money. "Good con-  
sideration."

3. Every assignment made by any person engaged in any trade or business of his existing or future book debts or accounts or any class or part thereof, shall be absolutely null and void as against the creditors of the assignor and as against subsequent purchasers or mortgagees of such debts or accounts or any part thereof in good faith for valuable consideration, unless such assignment,— Assignment  
of book  
debts, when  
to be void.

(a) is in writing;

(b) is accompanied by an affidavit of the attesting witness thereto of the due execution thereof and a further affidavit of the assignee or one of the several assignees or the agent of the assignee or assignees that the assignment is *bona fide* and for good consideration, and not for the purpose of holding, or enabling the assignee or assignees to hold the said debts or accounts against the creditors of the assignor;

- (c) together with the affidavits, are registered within twenty-one days of the execution thereof as hereinafter provided.

Registration  
of assign-  
ment.

4. The assignment shall be registered in the office of the clerk of the county or district court of the county or district in which the person making the assignment resides at the time of the execution thereof, or where the assignor is a company, in the office of the clerk of the county or district court of the county or district in which the head office of the company is situate, or in the case of a company having its head office out of Ontario, in the office of the clerk of the county or district court of some one of the counties or districts within which the company has a branch or carries on business within Ontario.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.



No. 199.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting the Assignment of  
Book Debts.

1st Reading,	26th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. NICKLE.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to provide for an Annual Grant to the University of Toronto for the promotion of Medical Research.

**W**HEREAS F. G. Banting, M.D., and C. H. Best, B.A., in the prosecution of medical research have made an important discovery by means of which it is now possible to ameliorate the condition of persons suffering from the disease known as diabetes, and it is believed that prosecuting the research will result in perfecting a remedy for the cure of that disease, and it is desirable and expedient in the public interest to provide by legislative grant for the continuation and prosecution of kindred researches:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Banting and Best Medical Research Act, 1923*.

**2.** There is hereby appropriated and there shall be paid out of the Consolidated Revenue Fund of Ontario for the establishment of a Research Fund, to be known as "The Banting and Best Research Fund," a sum of \$10,000 annually.

**3.** The amount of the grant shall be paid annually to the Governors of the University of Toronto and shall form a special trust fund to be applied only for the purposes mentioned in the preamble to this Act.

**4.** The Governors of the University of Toronto shall, when and as often as they shall be required by the Lieutenant-Governor in Council to do so, furnish to the Provincial Secretary a statement of the purposes for which in any year the fund is to be applied.

**5.** This Act shall come into force on the day on which it receives the Royal Assent.

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No. 200.

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4th Session, 15th Legislature,  
13 George V, 1923.

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BILL.

An Act to provide for an Annual Grant to  
the University of Toronto for the  
promotion of Medical Research.

---

1st Reading,	27th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

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Mr. DRURY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Ontario Medical Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Medical Act, 1923*.

Short title.

2. *The Ontario Medical Act* is amended by adding thereto the following sections:—

Rev. Stat.  
c. 161,  
amended.

47a. Every person shall be deemed to practise medicine within the meaning of this Act who holds himself out as being able to diagnose, treat, operate or prescribe for any human disease, pain, injury, disability or physical condition or who shall either offer or undertake by any means or method to diagnose, treat, operate or prescribe for any human disease, pain, injury, disability or physical condition.

47b. Nothing in this Act contained shall apply to or affect:—

- (a) any commissioned medical officer serving in the army, navy, or marine hospital service;
- (b) any lawfully qualified physician in any other province or country meeting a legally qualified medical practitioner in Ontario in consultation;
- (c) any person actually serving without professional fees on the resident medical staff of any legally incorporated hospital in Ontario;
- (d) the furnishing of first-aid or temporary assistance in cases of emergency;
- (e) the domestic administration of family remedies;

- (f) persons treating human ailments by prayer or spiritual means as an enjoyment or exercise of religious freedom;
- (g) the practise of chiropody.

47c. Nothing in this Act shall apply to or affect:—

- (a) the practise of dentistry by a dentist duly licensed under *The Dentistry Act* to practise dentistry in Ontario;
- (b) any person who manufactures or mechanically fits or sells artificial limbs or other appliances;
- (c) the practise of optometry by an optometrist duly licensed under *The Optometry Act* to practise optometry in Ontario.

47d.—(1) A person not being a legally qualified medical practitioner who was on the 1st day of January, 1923, practising in Ontario as an osteopath, chiropractor, or drugless healer and who within sixty days after the coming into force of this section files in the office of the Provincial Secretary a statement in the form to be furnished by the Provincial Secretary, stating:—(a) his name in full; (b) his place of residence; (c) his degree or certificate of qualification or other document under which he claims to be qualified to practise; (d) evidence as to his character and good behaviour, and (f) the particular method which he is practising, shall not incur any penalty under this Act for the practice of medicine under this Act so long as he continues to practise according to the method named by him in such statement.

(2) There shall be kept in the Department of the Provincial Secretary a list of all persons who have filed statements as required by subsection 1, classified according to the several methods of practice named by them.

47e.—(1) The Lieutenant-Governor in Council may make regulations providing for the admission to the practice of medicine of persons professing any system of healing and prescribing the qualifications to be required of such persons.

(2) The regulations shall not come into force or take effect until they shall have been laid before the Assembly and approved by resolution of the Assembly.



3. Subsection 2 of section 58 of *The Ontario Medical Act* is repealed and the following substituted therefor:—

Rev. Stat.  
c. 161, s. 58,  
subs. 2,  
repealed.

- (2) Every prosecution under this Act shall be undertaken and conducted by the Crown Attorney of the county or district in which the alleged offence was committed, whose duty it shall be to see to the enforcement of the provisions of this Act.

4. This Act shall come into force and take effect on the 1st day of July, 1923.

Commence-  
ment of Act.

No. 201.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Ontario Medical  
Act.

1st Reading,	27th April, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. DRURY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Elections and the Preparation of Provincial Voters' Lists.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Election Laws Amendment Act, 1923*. Short title.

2.—(1) Notwithstanding anything contained in *The Ontario Election Act* or the amendments thereto or in *The Election Laws Amendment Act, 1920*, or in *The Ontario Voters' Lists Act, 1922*, the list to be revised by the revising officer under the provisions of *The Ontario Voters' Lists Act, 1922*, shall be Part I of the last list finally revised by the judge of the county or district court and Part III of the said list prepared by the clerk of the municipality and filed with the clerk of the peace. What lists to be revised. Rev. Stat. c. 8. 1920, c. 2. 1922, c. 4.

(2) Wherever through accident, fire or otherwise, a municipality has no assessment roll, voters' lists shall be prepared in the manner set forth in Part IV of *The Ontario Voters' Lists Act, 1922*, with respect to territory without municipal organization. Preparation of list where assessment roll destroyed. 1922, c. 4.

(3) Where a new municipality has been created out of territory formerly without municipal organization, and no assessment roll has been prepared therefor, the voters' lists shall be prepared as provided by Part IV of *The Ontario Voters' Lists Act, 1922*. Newly organized territory. 1922, c. 4.

(4) Where an alphabetical list has been prepared by a clerk for a municipality and printed, distributed and deposited with the clerk of the peace as provided by *The Ontario Voters' Lists Act, 1922*, and Parts I and II of such list have not been revised by the judge, the election board may in its discretion direct the use of Part I and Part III of such list or of either Part in place of the lists mentioned in subsection 1. Board may direct use of unrevised lists in certain cases.

Person whose name not entered on list not entitled to vote.

Rev. Stat. c. 10.

(5) A person whose name is not entered on the polling list furnished by the clerk of the peace under the provisions of *The Ontario Election Act* and amendments thereto for use at any polling place shall not be entitled to vote, and no irregularity in the preparation or revision of any assessment roll or voters' lists for a municipality shall be a ground for questioning the validity of an election or a return under *The Ontario Controverted Elections Act* or otherwise.

1922, c. 4, s. 10, subs. 1, amended. Printing and distribution of list.

**3.** Subsection 1 of section 10 of *The Ontario Voters' Lists Act, 1922*, is amended by striking out the words "one copy" in the ninth and tenth lines and substituting therefor the words "ten copies."

1922, c. 4, s. 13, amended. Notice of transmission and posting up of list.

**4.** Section 13 of *The Ontario Voters' Lists Act, 1922*, is amended by adding at the end thereof the following words: "and the last day for entering appeals."

1922, c. 4, s. 17, subs. 5, amended.

**5.** Subsection 5 of section 17 of *The Ontario Voters' Lists Act, 1922*, is amended by adding after the word "list" in the fourth line the words "to the judge and," so that the subsection will now read as follows:—

Distribution of list of appeals.

(5) The clerk shall forthwith after posting up the list of appeals in his office, deliver or transmit by post, by registered letter, or by parcel post registered, one copy of the list to the judge and to each of the persons described in subsection 3 of section 10.

1922, c. 4, s. 22, subs. 3, repealed.

**6.** Subsection 3 of section 22 of *The Ontario Voters' Lists Act, 1922*, is repealed and the following substituted therefor:

Certificate of judge on copies.

(3) The judge shall thereupon sign and certify (form 15) such copies together with a copy of the voters' list received by him from the clerk under the provisions of section 10 and shall return one copy to the clerk and deliver or transmit by registered post one copy to each of the persons mentioned in clauses *b, c, d, e* and *f* of subsection 1 of section 21.

1922, c. 4, s. 22, amended.

**7.—(1)** Section 22 of *The Ontario Voters' Lists Act, 1922*, is further amended by adding thereto the following subsection:

Delivery and certification of copies of revised list.

(4) Instead of proceeding as provided in subsections 1, 2 and 3, the judge may direct the clerk to prepare a sufficient number of copies of the list as revised by the judge to furnish one copy for each of the persons mentioned in clauses *b, c, d, e* and *f* of subsection 1 of section 21, and the clerk shall within

one week after the revision has been made transmit or deliver such copies to the judge, and the judge shall thereupon sign and certify (form 15a) such copies and deal therewith in the manner provided by subsection 2 of section 21.

(2) Schedule "A" of *The Ontario Voters' Lists Act, 1922*, <sup>1922, c. 4,</sup> is amended by adding thereto the following form:- <sup>Schedule "A", amended.</sup>

FORM 15a

(Section 22 (4)).

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE

I, \_\_\_\_\_ Judge of the County Court of the County of \_\_\_\_\_, pursuant to subsection 4 of section 22 of *The Ontario Voters' Lists Act, 1922*, do hereby certify that the above (as the case may be) is a correct copy of the list of voters for the year 19\_\_\_\_, received by me from the clerk of the municipality of the \_\_\_\_\_ of \_\_\_\_\_, according to my revision and correction thereof, pursuant to the provisions of the said Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_

Judge.

**8.** Section 61 of *The Ontario Voters' Lists Act, 1922*, is <sup>1922, c. 4,</sup> amended by striking out the word "in" in the eleventh line <sup>s. 61,</sup> and substituting therefor the word "for". <sup>amended.</sup>

**9.** Section 66 of *The Ontario Voters' Lists Act, 1922*, is <sup>1922, c. 4,</sup> amended by striking out the words "clerk of the muni- <sup>s. 66,</sup> cipality" in the second line, and substituting therefor the word "board" and by inserting after the word "Act" in the third line the words "and three copies of the third part, as received by him from the clerk of the municipality" so that the subsection will now read as follows:—

66. The clerk of the peace shall deliver to the board <sup>Delivery of</sup> three copies of the first part of the list for the muni- <sup>list by clerk.</sup> cipality as last revised by the judge in the manner provided by this Act and three copies of the third part as received by him from the clerk of the municipality and the said lists shall be subject to revision upon complaint as hereinbefore provided.

**10.** Form 3 of Schedule "A" of *The Ontario Voters' Lists Act, 1922*, is amended by adding after the word "law" in <sup>1922, c. 4,</sup> the last paragraph the words "the last day for appeal being <sup>Schedule "A",</sup> the \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_\_\_". <sup>Form 3, amended.</sup>

**11.** Form 13 of Schedule "A" of *The Ontario Voters' Lists Act, 1922*, is amended by striking out the word "three" in <sup>1922, c. 4,</sup> the fourth line of the last paragraph and substituting therefor <sup>Schedule "A",</sup> the words "the requisite number". <sup>Form 13, amended.</sup>

1922, c. 4,  
Schedule  
"A,"  
Form 14,  
amended.

**12.** Form 14 of Schedule "A" of *The Ontario Voters' Lists Act, 1922*, is amended by striking out the words "and seal" in the last paragraph.

1922, c. 4,  
Schedule  
"B,"  
amended.

**13.**—(1) Schedule "B" of *The Ontario Voters' Lists Act, 1922*, is amended by striking out in the reference to the Statutes of 1918, chapter 3, the words "the whole" and substituting therefor "the whole except section 11", and the said schedule shall be read as if this amendment had been contained therein when the said schedule was passed.

1920, c. 2,  
s. 13, subss. 5  
and 6,  
repealed.

**14.** Subsections 5 and 6 of section 13 of *The Election Laws Amendment Act, 1920*, are repealed and the following substituted therefor:—

Fee for  
polling  
place.

(5) The sum of \$8 for every polling place provided by the municipality and used at the elections shall be payable to the corporation of the municipality by the returning officer.

When re-  
turning  
officer may  
select  
polling  
place

(6) Where the council of the municipality refuses or neglects to provide polling places, or the board deems any place so provided unsuitable, the returning officer may select such places as he may deem proper and as may be approved of by the board for that purpose and shall have, and may exercise all the powers of the municipal corporation, and the expenses incurred by him in providing any such polling place to an amount not exceeding \$8 shall be payable by the returning officer to the person entitled thereto.

1920, c. 2,  
s. 20, subs. 1,  
repealed.

**15.** Subsection 1 of section 20 of *The Election Laws Amendment Act, 1920*, is repealed and the following substituted therefor:—

Board,—  
how  
composed.

(1) The board shall consist of the officers hereinafter mentioned, namely:—

In County of  
York.

(a) In the County of York the board shall be composed of seven members, as follows: the six judges of the county court and the clerk of the peace;

In every  
other  
county and  
district.

(b) In every other county and in every provisional judicial district the board shall be composed of five members as follows: the judge and junior judge of the county or district court, the local registrar of the Supreme Court, the sheriff of the county or

district, the clerk of the peace, and where there is no junior judge of the county or district court, the local master of the Supreme Court, or where the local master is also the judge of the county or district, the registrar of deeds, and where there are more registry divisions than one in the county or district such one of the registrars of deeds as may be designated by the remaining members of the board.

- (c) For the purposes of this section every city <sup>City to form part of</sup> shall be taken to form part of the county or district in which it is situate, and the board shall have jurisdiction accordingly.

**16.** Subsection 8 of section 20 of *The Election Laws Amendment Act, 1920*, is repealed and the following substituted <sup>1920, c. 2, s. 20, subs. 8, repealed.</sup> therefor:—

- (8) Where there is a vacancy in the membership of the board and there is no official to fill the vacancy <sup>Where vacancy in board.</sup> or where the number of officials mentioned in clause *b* of subsection 1 is not sufficient to complete the board, the board may elect some fit and proper person, or a sufficient number of such persons, to complete the full membership of the board.

**17.** Section 22 of *The Election Laws Amendment Act, 1920*, is amended by adding thereto the following subsection:— <sup>1922, c. 4, s. 22, amended.</sup>

- (3) In cases of emergency for which no provision is made the Chief Election Officer may give such directions as he may deem proper and anything done in compliance with such directions shall not be open to question, but the Chief Election Officer shall immediately give notice of any directions so given by him to any candidate or proposed candidate of whom he has knowledge. <sup>In cases of emergency.</sup>

**18.** Subsection 2 of section 53 of *The Ontario Election Act* is amended by striking out all the words after the word “subdivision” in the third line, so that the subsection will <sup>Rev. Stat. c. 8, s. 53, subs. 2, amended.</sup> now read as follows:—

- (2) Where the council has divided the municipality <sup>Where council has divided municipality.</sup> into polling subdivisions the returning officer shall not be required to make any change in the boundaries of a polling subdivision.

Rev. Stat.  
c. 8, s. 54,  
subs. 1,  
amended.

**19.** Subsection 1 of section 54 of *The Ontario Election Act* is amended by adding after the figure "3" in the first line the words "of this section, and sections 11 and 13 of *The Election Laws Amendment Act, 1920*", and by adding thereto the following clause:—

- (a) Where the board approves, such polling place may be provided outside the limits of the polling subdivision.

Rev. Stat.  
c. 8, s. 54,  
subs. 3,  
amended.

**20.** Subsection 3 of section 54 of *The Ontario Election Act* is amended by striking out the words "in a city" in the first line and all the words after the word "subdivisions" in the third line, so that the subsection will now read as follows:—

Union of  
polling  
subdivisions

- (3) The returning officer may unite two or more adjoining polling subdivisions and fix one polling place for the united subdivisions.

Rev. Stat.  
c. 8, s. 54,  
subs. 6,  
repealed.

**21.** Subsection 6 of section 54 of *The Ontario Election Act* is repealed and the following is substituted therefor:—

Additional  
polling  
places.

- (6) <sup>1</sup>/<sub>2</sub> Where a polling subdivision contains a greater number of voters than may conveniently vote at one polling place, the returning officer, with the approval of the board, instead of subdividing it, may provide one or more additional polling places near to one another, having regard to the total number of voters in the polling subdivision.

Rev. Stat.  
c. 8, s. 54,  
amended.

**22.** Section 54 of *The Ontario Election Act* is amended by adding thereto the following subsection:—

Where  
village  
includes  
portions of  
two town-  
ships in  
different  
electoral  
district.

- (10) Where a village has been incorporated including portions of two townships lying in different electoral districts, the election board of the county or district in which the village or the larger part of the village is situate shall divide the village into two polling subdivisions and shall include the territory in each electoral district in a polling subdivision, and the board may give such directions to the clerk of the village as it may deem necessary for the separating of the names of the voters in one polling subdivision from the names of voters in the other and for distinguishing between the two classes of names in the voters' list of the village and the clerk of the peace shall prepare a separate polling list for each of such polling subdivisions.



**23.** This Act shall come into force on the day upon which <sup>Commence-</sup>  
it receives the Royal Assent, except sections 3 to 7 and <sup>ment of Act.</sup>  
sections 10 to 12 which shall come into force on the 1st day  
of January, 1924.

No. 202.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act respecting Elections and the  
Preparation of Provincial Voters'  
Lists.

1st Reading,	1st May, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

MR. RANNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to dissolve the Bloomfield Consolidated School Section.

**W**HEREAS the municipal corporation of the Village of Bloomfield has by petition represented that the Bloomfield Consolidated School Section was formed under the provisions of *The Consolidated Schools Act, 1919*, by a vote of the ratepayers taken on the 22nd day of May, 1922, and that a Board of Trustees for such Consolidated School Section was elected in conformity with the provisions of the said Act; and whereas your petitioners have further represented that a by-law to raise money for the erection of a consolidated school was submitted to the ratepayers in such Consolidated School Section on the 2nd day of April, 1923, when out of 284 persons entitled to vote, 35 voted for the by-law and 187 against it; and whereas your petitioners believe that it is in the interest of the ratepayers of the said section that an Act should be passed dissolving it and providing for the restoration of the old school sections comprised in the Consolidated School Section; and whereas your petitioners have prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

**1.** The Bloomfield Consolidated School Section is hereby dissolved and the school sections and Union School Section comprised in it, namely, school sections 6 and 9 of the Township of Hallowell and the Union School Section composed of the Village of Bloomfield and School Section number 7 of the Township of Hallowell, and known as the Bloomfield Public School, are hereby revived and restored to their original position with the same boundaries as they had prior to the formation of the said Consolidated School Section.

**2.** It shall be the duty of the Public School Inspector for the County of Prince Edward within one month after this Act comes into force to call a meeting of the ratepayers in each

school section for the election of a Board of Trustees for such section and upon the election of the Board of Trustees for each school section the Board of Trustees of the Consolidated School Section shall be dissolved and the members thereof shall cease to hold office.

Vesting of  
real estate.

**3.** The real estate now vested in the Board of Trustees of the Consolidated School Section shall upon the dissolution of that board be re-vested in the Board of Trustees of the school section in which it is situate.

Adjustment  
of assets and  
liabilities.

**4.** All the assets and liabilities of the Board of Trustees of such Consolidated School Section shall be apportioned among the said school sections on such terms as may be agreed upon or, in case of failure to agree, as may be determined by the Public School Inspector.

Commence-  
ment of Act.

**5.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



No. 203.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to dissolve the Bloomfield Consolidated School Section.

1st Reading,	1st May, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

(*Private Bill.*)

MR. DENYES.

FORGOTTEN:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Ontario Companies Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Ontario Companies Amendment Act, 1923*. Short title.

**2.** Subsection 1 of section 100 of *The Ontario Companies Act* is amended by striking out in the last three lines thereof the words "and disclosed in the prospectus, and the commission paid or agreed to be paid does not exceed the amount or rate so authorized." Rev. Stat. c. 178, s. 100, subs. 1, amended.

**3.** Paragraph *b* of section 14 and sections 99, 101, 103, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 117 and 117*a* of *The Ontario Companies Act* are repealed. Rev. Stat. c. 178, s. 14, para. *b*, ss. 99, 101, 103—105, 107—115, 117, 117*a*, repealed.

**4.** This Act shall come into force on the 1st day of September, 1923. Commencement of Act.

No. 204.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act to amend The Ontario  
Companies Act.

1st Reading,	2nd May, 1923.
2nd Reading,	1923.
3rd Reading,	1923.

Mr. NIXON.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.



# BILL

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1923, and for the Public Service of the financial year ending the 31st day of October, 1924.

MOST GRACIOUS SOVEREIGN :

**W**HEREAS it appears by message from His Honour Preamble.  
Henry Cockshutt, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1923, and for the financial year ending the 31st day of October, 1924, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

**1.** From and out of the Consolidated Revenue Fund of <sup>\$22,058,-</sup>  
this Province, there may be paid and applied a sum not <sup>359.56</sup>  
exceeding in the whole Twenty-two million, fifty-eight thou- <sup>granted for</sup>  
sand, three hundred and fifty-nine dollars and fifty-six cents <sup>year ending</sup>  
towards defraying the several charges and expenses of the <sup>31st October,</sup>  
public service of this Province, not otherwise provided for, <sup>1923.</sup>  
from the first day of November, 1922, to the thirty-first day  
of October, 1923, as set forth in Schedule "A" to this Act.

**2.** From and out of the Consolidated Revenue Fund of <sup>\$52,546,-</sup>  
this Province, there may be paid and applied a sum not <sup>778.04</sup>  
exceeding in the whole Fifty-two million, five hundred and <sup>granted for</sup>  
forty-six thousand, seven hundred and seventy-eight dollars <sup>fiscal year</sup>  
and four cents towards defraying the several charges and <sup>1923-24.</sup>  
expenses of the public service of this Province, not otherwise  
provided for, from the first day of November, 1923, to the  
thirty-first day of October, 1924, as set forth in Schedule "B"  
to this Act.

Accounts to  
be laid before  
Assembly.

3. Accounts in detail of all moneys received on account of this Province during the said financial year 1922-1923, and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1923-1924 and of all expenditures under Schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations for  
1923-1924  
unexpended  
to lapse.

4. Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1923, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations for  
1923-1924  
unexpended  
to lapse.

5. Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1924, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting  
for ex-  
penditure.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-  
ment of  
Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-three, and for the purposes for which they are granted:—

## CIVIL GOVERNMENT.

To defray the expenses of the several Departments at  
Toronto:

Department of the Prime Minister and President of the Council.....	\$ 1,875 00	
Attorney-General's Department.....	11,000 00	
Lands and Forests Department.....	12,300 00	
Mines Department.....	3,750 00	
Department of Public Works ..	1,200 00	
Department of Labour.....	12,550 00	
Department of Public Highways.....	30,090 00	
Game and Fisheries Department.....	5,500 00	
Treasury Department.....	11,700 00	
Audit Office.....	5,800 00	
Provincial Secretary's Department.....	10,500 00	
Department of Agriculture....	1,975 00	
Miscellaneous.....	2,825 00	
		\$111,065 00

## LEGISLATION.

To defray expenses of Legislation..... \$25,575 00

## ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of  
Justice..... \$30,446 00

## EDUCATION.

To defray expenses of:

Public and Separate Schools Education.....	\$695,004 00
Normal and Model Schools, Toronto.....	5,175 00
Normal and Model Schools, Ottawa.....	150 00
Normal School, London.....	350 00
Normal School, Hamilton.....	100 00
Normal School, Stratford.....	343 00
Normal School, North Bay....	21,100 00
English - French Professional Training Schools.....	12,250 00

High Schools and Collegiate Institutes.....	52,675 00	
Departmental Museum.....	300 00	
Provincial and other Universities.....	1,890,000 00	
The Ontario School for the Blind, Brantford.....	1,330 00	
Northern Academy, Monteith..	7,060 00	
Farm and Power Plant.....	8,000 00	
Miscellaneous.....	6,858 77	
	<hr/>	\$2,700,695 77

## PUBLIC INSTITUTIONS.

To defray expenses of :

Ontario Hospital, Brockville....	\$15,000 00	
Ontario Hospital, Cobourg.....	5,000 00	
Ontario Hospital, Hamilton....	15,000 00	
Ontario Hospital, Kingston....	20,000 00	
Ontario Hospital, London.....	15,000 00	
Ontario Hospital, Mimico.....	12,000 00	
Ontario Hospital, Orillia.....	10,000 00	
Ontario Hospital, Penetanguishene.....	15,000 00	
Ontario Hospital, Toronto.....	30,000 00	
Ontario Hospital, Whitby.....	8,000 00	
Ontario Hospital, Woodstock..	2,000 00	
Ontario Reformatory, Guelph..	20,000 00	
Ontario Reformatory, Industries.....	20,000 00	
Andrew Mercer Reformatory for Females.....	5,000 00	
Industrial Farm, Burwash.....	10,000 00	
Industrial Farm, Fort William.	5,000 00	
Miscellaneous.....	4,972 75	
	<hr/>	\$211,972 75

## AGRICULTURE.

To defray expenses of a grant in aid of Agriculture.....	\$110,426 00
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## COLONIZATION AND IMMIGRATION.

To defray expenses of a grant in aid of Colonization and Immigration.....	\$5,350 00
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## HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities . . . . .	\$27,656 81
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## MAINTENANCE AND REPAIRS OF GOVERNMENT AND DEPARTMENTAL BUILDINGS.

To defray expenses of:

Parliament and Departmental Buildings . . . .	\$13,900 00
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## PUBLIC BUILDINGS.

To defray expenses of:

Parliament and Departmental Buildings . . . . .	\$12,100 00
Osgoode Hall . . . . .	11,000 00

Public Institutions:

Ontario Hospital, Brockville . . .	4,500 00
Ontario Hospital, Kingston . . .	5,500 00
Ontario Hospital, London . . . .	3,000 00
Ontario Hospital, Orillia . . . . .	125,000 00
Ontario Hospital, Whitby . . . . .	100,000 00
Ontario Hospital, Woodstock . .	120,000 00
Ontario Reformatory, Guelph . .	4,000 00

Educational:

Normal and Model Schools, Toronto . . . . .	4,200 00
Normal and Model Schools, Ottawa . . . . .	710 00
Normal School, London . . . . .	1,680 00
Normal School, Hamilton . . . . .	400 00
Normal School, Peterborough . .	400 00
Normal School, Stratford . . . . .	400 00
Normal School, North Bay . . . .	7,200 00
Training Schools . . . . .	400 00
The Ontario School for the Deaf, Belleville . . . . .	73,500 00
The Ontario School for the Blind, Brantford . . . . .	6,500 00
Northern Academy, Monteith . .	33,000 00

## Agriculture:

Ontario Agricultural College . . .	108,812 00
Western Ontario Experimental Farm, Ridgetown . . . . .	21,090 18
Eastern Ontario Dairy School . .	62,500 00

## Districts:

Algoma . . . . .	18,450 00
Kenora . . . . .	3,700 00
Manitoulin . . . . .	12,000 00
Nipissing . . . . .	1,285 00
Parry Sound . . . . .	5,950 00
Rainy River . . . . .	1,986 00
Sudbury . . . . .	36,500 00
Temiskaming . . . . .	150,000 00
Thunder Bay . . . . .	25,300 00
Cochrane . . . . .	79,600 00
Miscellaneous . . . . .	58,000 00

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Total Public Buildings . . . . . \$1,098,663 18

## PUBLIC WORKS.

To defray expenses of Public Works . . . . . \$422,933 00

## DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour . \$270,825 00

## COLONIZATION ROADS.

To defray expenses of Construction and  
Repairs . . . . . \$750,000 00

## DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public  
Highways . . . . . \$27,361 13

## GAME AND FISHERIES.

To defray expenses of Game and Fisheries . . . \$76,850 00

## TREASURY DEPARTMENT—MISCELLANEOUS.

To defray expenses of Treasury Department,  
Miscellaneous . . . . . \$109,090 44

## LANDS AND FORESTS.

To defray expenses on account of Lands and Forests.....	\$417,650 00
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## MINES.

To defray expenses on account of Mines.....	\$60,219 97
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## REFUNDS.

To defray expenses on account of Refunds....	\$1,334 54
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## MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure.....	\$116,550 00
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## THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro-Electric Power Commission of Ontario.....	\$12,687,000 00
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## THE TEMISKAMING AND NORTHERN ONTARIO RAILWAY COMMISSION.

To defray expenses on account of the Temiskaming and Northern Ontario Railway Commission.....	\$2,782,794 97
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Total Estimates for Expenditure of 1922-1923.....	\$22,058,359 56
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## SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-four, and the purposes for which they are granted:

## CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:

Lieutenant-Governor's Office...	\$5,450 00
Department of the Prime Minister and President of the Council.....	35,475 00
Attorney-General's Department	199,775 00
Education Department.....	79,950 00
Lands and Forests Department.	242,575 00

Mines Department . . . . .	135,575 00	
Public Works Department . . . . .	84,100 00	
Department of Labour . . . . .	379,825 00	
Department of Public Highways . . . . .	282,525 00	
Game and Fisheries Department . . . . .	47,725 00	
Treasury Department . . . . .	139,325 00	
Audit Office . . . . .	59,225 00	
Provincial Secretary's Department . . . . .	262,900 00	
Department of Agriculture . . . . .	124,425 00	
Miscellaneous . . . . .	34,675 00	
	<hr/>	\$2,113,525 00

## LEGISLATION.

To defray the expenses of Legislation . . . . .	\$336,485 00
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## ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice . . . . .	\$1,780,300 00
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## EDUCATION.

To defray expenses of:

Public and Separate School, Education . . . . .	\$4,612,800 00
Normal and Model Schools, Toronto . . . . .	135,895 00
Normal and Model Schools, Ottawa . . . . .	92,450 00
Normal School, London . . . . .	46,550 00
Normal School, Hamilton . . . . .	39,320 00
Normal School, Peterborough . . . . .	39,500 00
Normal School, Stratford . . . . .	39,450 00
Normal School, North Bay . . . . .	90,900 00
English - French Professional Training Schools . . . . .	99,180 00
High Schools and Collegiate Institutes . . . . .	281,676 28
Departmental Museum . . . . .	11,800 00
Public Libraries, Art Schools, etc. . . . .	138,350 00
Technical Education . . . . .	877,950 00
Superannuated Public and High School Teachers . . . . .	55,150 00



Provincial and other Universities.....	552,380 00	
The Ontario School for the Deaf, Belleville.....	143,353 00	
The Ontario School for the Blind, Brantford.....	99,084 00	
Northern Academy, Monteith .	80,140 00	
Miscellaneous.....	42,900 00	
	<hr/>	\$7,478,828 28

## PUBLIC INSTITUTIONS.

To defray expenses of:

Ontario Hospital, Brockville...	\$259,522 00	
Ontario Hospital, Cobourg.....	90,550 00	
Ontario Hospital, Hamilton....	340,445 00	
Ontario Hospital, Kingston....	207,680 00	
Ontario Hospital, London.....	398,930 00	
Ontario Hospital, Mimico.....	209,680 00	
Ontario Hospital, Orillia.....	213,002 00	
Ontario Hospital, Penetanguishene.....	100,240 00	
Ontario Hospital, Toronto.....	242,912 00	
Ontario Hospital, Whitby.....	370,369 00	
Ontario Hospital, Woodstock ..	71,531 00	
Ontario Reformatory.....	275,010 00	
Ontario Reformatory, Industries.....	200,600 00	
Mercer Reformatory, Toronto..	67,425 00	
Mercer Reformatory, Industries	10,000 00	
Industrial Farm, Burwash.....	210,800 00	
Industrial Farm, Fort William.	28,820 00	
Miscellaneous.....	65,000 00	
	<hr/>	\$3,362,516 00

## AGRICULTURE.

To defray expenses of a grant in aid of Agriculture.....	\$1,666,738 45
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## COLONIZATION AND IMMIGRATION.

To defray expenses of Colonization and Immigration.....	\$208,584 96
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## HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities.....	\$1,268,900 00
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MAINTENANCE AND REPAIRS OF GOVERNMENT AND  
DEPARTMENTAL BUILDINGS.

To defray expenses of :

Government House.....	\$27,200 00	
Parliament and Departmental Buildings.....	373,411 35	
Osgoode Hall.....	53,325 00	
Miscellaneous.....	64,000 00	
	<hr/>	\$517,936 35

PUBLIC BUILDINGS.

To defray expenses of:

Parliament and Departmental Buildings.....	\$50,000 00	
Osgoode Hall.....	7,000 00	
Public Institutions.....	57,000 00	
Educational.....	67,100 00	
Agriculture.....	61,800 00	
Districts.....	256,400 00	
Miscellaneous.....	181,000 00	
	<hr/>	\$680,300 00

PUBLIC WORKS.

To defray expenses of Public Works..... \$150,500 00

DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour. \$2,338,075 00

COLONIZATION ROADS.

To defray expenses of Construction and Repairs \$857,300 00

DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public  
Highways..... \$201,320 00

GAME AND FISHERIES.

To defray expenses of Game and Fisheries.... \$271,250 00

ATTORNEY-GENERAL'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Attorney-General's  
Department, Miscellaneous..... \$50,500 00

## TREASURY DEPARTMENT, MISCELLANEOUS.

To defray expenses of Treasury Department,  
Miscellaneous..... \$451,619 00

## PROVINCIAL SECRETARY'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Provincial Secretary's  
Department, Miscellaneous..... \$7,750 00

## LANDS AND FORESTS.

To defray expenses on account of Crown Lands. \$1,907,200 00

## DEPARTMENT OF MINES.

To defray expenses of Department of Mines . . \$139,550 00

## REFUNDS.

To defray expenses of:

Education.....	\$2,500 00	
Lands and Forests.....	25,000 00	
Mines.....	2,500 00	
Game and Fisheries.....	15,000 00	
Succession Duty.....	45,000 00	
Miscellaneous.....	37,000 00	
	<hr/>	\$127,000 00

## MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure..... \$174,600 00

## THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro-  
Electric Power Commission of Ontario.....\$24,806,000 00

TEMISKAMING AND NORTHERN ONTARIO RAILWAY  
COMMISSION.

To defray expenses on account of Temiskaming  
and Northern Ontario Railway Commission . \$1,650,000 00

Total Estimates for Expenditure of 1923-  
1924.....\$52,546,778 04

No. 205.

4th Session, 15th Legislature,  
13 George V, 1923.

BILL.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1923, and for the Public Service of the financial year ending the 31st day of October, 1924.

1st Reading,	4th May, 1923.
2nd Reading,	4th May, 1923.
3rd Reading,	4th May, 1923.

MR. SMITH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.







